

1 **NEW SCHOOL BUILDINGS MAINTENANCE**

2 **AND OPERATION COSTS**

3 1998 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: John W. Hickman**

6 AN ACT RELATING TO PUBLIC EDUCATION; CREATING A NEW SCHOOL BUILDINGS
7 MAINTENANCE AND OPERATION COSTS TRUST FUND TO PAY FOR FIRST-YEAR
8 MAINTENANCE AND OPERATION COSTS RELATED TO THE OPENING OF NEW
9 SCHOOLS; PROVIDING A DISTRIBUTION PROCESS; AND PROVIDING A \$5,000,000
10 APPROPRIATION TO THE FUND.

11 This act affects sections of Utah Code Annotated 1953 as follows:

12 ENACTS:

13 **53A-16-112**, Utah Code Annotated 1953

14 *Be it enacted by the Legislature of the state of Utah:*

15 Section 1. Section **53A-16-112** is enacted to read:

16 **53A-16-112. New School Buildings Maintenance and Operation Costs Trust Fund.**

17 (1) There is created an expendable trust fund entitled the "New School Buildings
18 Maintenance and Operation Costs Trust Fund."

19 (2) The fund consists of appropriations made to the fund by the Legislature.

20 (3) (a) The fund shall earn interest.

21 (b) All interest earned on fund moneys shall be deposited into the fund.

22 (4) (a) The State Board of Education shall obtain a statement of the fund balance as of July
23 1 of each calendar year from the Division of Finance.

24 (b) The board may expend the July 1 fund balance during the fiscal year beginning July
25 1 as provided in Subsection (4).

26 (c) The board shall distribute money from the fund to qualified school districts for
27 first-year maintenance and operation costs related to the opening of new schools within the

1 districts as follows:

2 (i) \$350,000 for each new elementary school facility;

3 (ii) \$600,000 for each new middle school with students in grades 5 through 8;

4 (iii) \$850,000 for each new junior high school with students in grades 7 through 9; and

5 (iv) \$1,300,000 for each new high school with students in grades 10 through 12.

6 (5) In order for a school district to qualify for fund money under Subsection (4)(c), it must:

7 (a) have experienced significant student growth for a period of at least three consecutive
8 years, with an average annual increase in its student population of at least 300 students or 5%;

9 (b) justify to the satisfaction of the board that the opening of the new school was not to
10 replace an existing facility and that alternative housing methods such as portables, double sessions,
11 or year-round schools had been employed prior to the construction of the new facility;

12 (c) demonstrate to the satisfaction of the board that the opening of the new facility
13 significantly impacts the existing funding of the district; and

14 (d) have a student-teacher ratio at or above the state average.

15 **Section 2. Appropriation.**

16 There is appropriated for fiscal year 1998-99, \$5,000,000 from the Uniform School Fund
17 to the New School Buildings Maintenance and Operations Costs Trust Fund.

Legislative Review Note
as of 2-5-98 11:43 AM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel