

**FUNDING FOR TEXTBOOKS**

2001 GENERAL SESSION

STATE OF UTAH

**Sponsor: Martin R. Stephens**

The act modifies provisions related to the State System of Public Education by requiring the State Board of Education to design and implement a statewide plan to provide for an adequate supply of textbooks for students on an ongoing basis and to replace outdated textbooks or textbooks in poor condition. This act provides an appropriation of \$23,790,000 in one-time monies to purchase new textbooks and has an immediate effective date.

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

ENACTS:

**53A-12-201.5**, Utah Code Annotated 1953

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

Section 1. Section **53A-12-201.5** is enacted to read:

**53A-12-201.5. State plan to meet textbook needs -- Monitoring and auditing of textbook programs.**

(1) (a) The State Board of Education, in consultation with local school boards and local superintendents, shall design and implement a statewide plan to:

(i) provide for an adequate supply of textbooks for students in the state's public schools on an ongoing basis; and

(ii) replace outdated textbooks or textbooks in poor condition.

(b) The board shall review the plan annually and make modifications if necessary to meet the requirements of Subsection (1)(a).

(2) The State Board of Education shall:

(a) make a rule in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, that provides uniform guidelines for determining what constitutes:

(i) an adequate supply of textbooks; and

28 (ii) an outdated textbook and a textbook in poor condition; and  
 29 (b) determine if the definition of textbooks under Section 53A-12-202 should be modified  
 30 for purposes of this chapter and make its recommendation to the Education Interim Committee of  
 31 the Legislature prior to November 30, 2001.

32 (3) (a) The State Board of Education and the Legislative Auditor General's Office shall  
 33 jointly monitor and conduct an audit of the funding sources and expenditures for textbooks in the  
 34 state's public schools.

35 (b) The monitoring and audit shall cover a period of at least three but no more than five  
 36 years, beginning with the 2000-01 school year.

37 **Section 2. Appropriation.**

38 (1) For fiscal year 2000-01 only, there is appropriated from the Uniform School Fund  
 39 \$23,790,000 in one-time monies to the State Board of Education.

40 (2) (a) The board shall allocate the appropriation to local school boards for the purchase  
 41 of textbooks for students on the basis of:

42 (i) need as identified in the Legislative Auditor General's State Textbook Funding Audit  
 43 dated November 2000; and

44 (ii) effort made by each district to satisfy its textbook needs.

45 (b) Each local school board shall use its allocation to provide adequate numbers of  
 46 textbooks for students or to replace textbooks in poor or outdated condition or to do both.

47 **Section 3. Effective date.**

48 If approved by two-thirds of all the members elected to each house, this act takes effect  
 49 upon approval by the governor, or the day following the constitutional time limit of Utah  
 50 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the  
 51 date of veto override.

**Legislative Review Note**  
**as of 1-2-01 9:24 AM**

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

**Office of Legislative Research and General Counsel**

**Committee Note**

The Education Interim Committee recommended this bill.