

1 **RESOLUTION ON TUITION TAX CREDIT**

2 **BALLOT OPINION QUESTION**

3 2003 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Sheryl L. Allen**

6 **This concurrent resolution of the Legislature and the Governor directs the Lieutenant**
7 **Governor to place a nonbinding opinion question relating to education funding through**
8 **the use of a tuition tax credit to a vote of the people of Utah.**

9 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

10 WHEREAS, Utah law allows the Governor and Legislature to place nonbinding
11 statewide opinion questions on the ballot by passing a concurrent resolution;

12 WHEREAS, the Legislature and the Governor believe that the voters of Utah should
13 have an opportunity to express their opinion on significant questions of public policy; and

14 WHEREAS, questions about the use of public tax dollars or potential tax dollars to
15 fund private and religious education is a significant change of public policy:

16 NOW, THEREFORE, BE IT RESOLVED that the Legislature, the Governor
17 concurring therein, directs the Lieutenant Governor of Utah to submit the following opinion
18 question to the legal voters of Utah at the general election to be held November 2, 2004:

- 19 1. Utah law presently requires that state income and other taxes are restricted to
20 support public elementary, secondary, and higher education.
- 21 2. Programs which provide public funding for families to send their children to private
22 elementary and secondary schools have generated considerable debate nationwide.
- 23 3. Based upon the explanation above, the Legislature and the Governor hereby submit
24 to the voters of Utah for their opinion the following question:

25 "Should Utah's public tax dollars or potential tax dollars be used to fund private and
26 religious education through the use of a tuition tax credit?"

27 YES



Legislative Review Note
as of 1-14-03 2:47 PM

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

Office of Legislative Research and General Counsel

State Impact

It is estimated that publishing costs to present requirements of this resolution on the ballot will cost \$3,000 from the General Fund in FY 2005.

	<u>FY 04 Approp.</u>	<u>FY 05 Approp.</u>	<u>FY 04 Revenue</u>	<u>FY 05 Revenue</u>
General Fund	\$0	\$3,000	\$0	\$0
TOTAL	\$0	\$3,000	\$0	\$0

Individual and Business Impact

No fiscal impact.
