

**INSTRUCTIONAL EXPENSES REQUIREMENTS**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Gregory H. Hughes**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill requires school districts to spend a certain portion of General Fund expenditures on instructional expenditures.

**Highlighted Provisions:**

This bill:

- requires each school district to spend at least 65% of its General Fund expenditures on instructional expenditures, with certain exceptions;

- provides for waivers of the expenditure standards from the State Board of Education; and

- defines terms.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**53A-3-404.5**, Utah Code Annotated 1953

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

Section 1. Section **53A-3-404.5** is enacted to read:



28           **53A-3-404.5. Instructional expenditures standards.**

29           (1) As used in this section:

30           (a) "General Fund expenditures" means expenditures accounted for in a school  
31 district's General Fund, as defined in the U.S. Department of Education publication, "Financial  
32 Accounting for Local and State School Systems."

33           (b) "Instructional expenditures" means expenditures for instruction as defined in the  
34 U.S. Department of Education publication, "Financial Accounting for Local and State School  
35 Systems."

36           (2) (a) Each school district shall spend at least 65% of its General Fund expenditures  
37 on instructional expenditures.

38           (b) If a school district's instructional expenditures in fiscal year 2005-06 are less than  
39 65% of its General Fund expenditures, the school district shall increase instructional  
40 expenditures as a percent of General Fund expenditures by two percentage points per year  
41 beginning in fiscal year 2006-07.

42           (3) (a) A school district that is unable to meet the expenditure standards established  
43 under Subsection (2) may apply to the State Board of Education for a waiver. The waiver  
44 request shall specify:

45           (i) the reasons why the school district is unable to meet the expenditure standards; and

46           (ii) actions the school district will take to meet the expenditure standards in the  
47 following year.

48           (b) The State Board of Education shall grant or deny the waiver request within 60 days  
49 of receiving the request.

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**Legislative Review Note**

**as of 12-8-05 10:57 AM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

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**Fiscal Note****Bill Number HB0143****Instructional Expenses Requirements***26-Jan-06**8:17 AM*

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**State Impact**

Implementation of this bill may require a school district to adjust expenditures from the school district's general fund to meet the expenditure provisions outlined in this bill.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**