

2nd Sub. S.B. 71
SCHOOL DISTRICT AMENDMENTS

Representative **Gregory H. Hughes** proposes the following amendments:

1. *Page 1, Line 21:*

21 allocation;

► modifies a provision relating to the reimbursement of transition team and other costs and expenses;

2. *Page 2, Line 34:*

34 without the consent of specified boards or bodies; ~~{and}~~ =

► clarifies application of the changes in this bill to the procedure to create a new district; and

3. *Page 2, Line 39:*

39 This bill provides an immediate effective date.

This bill provides revisor instructions.

4. *Page 2, Lines 44 through 45:*

44 53A-2-118.1, as last amended by Laws of Utah 2007, First Special Session, Chapters 1,
45 2, and 4

= **53A-2-121, as last amended by Laws of Utah 2007, Chapter 215**

Uncodified Material Affected:

ENACTS UNCODIFIED MATERIAL

5. *Page 2, Line 51:*

51 (1) "Allocation date" means ∴

(a) October 31 immediately before the creation election date {∴} ∴ or

(b) another date that the transition teams under Section 53A-1-118.1 mutually agree to.

6. *Page 16, Lines 465 through 467:*

465 (ii) All costs and expenses of the transition team that represents a new district {∴}

466 ~~—(A)}~~ shall~~[(A)]~~ initially be borne by:

467 ~~{(B)}~~ **(A)** the city whose legislative body appoints the transition team, if the transition team is

7. Page 16, Lines 469 through 473:

469 ~~{(H)}~~ (B) the interlocal agreement participants, if the transition team is appointed by the
470 legislative bodies of interlocal agreement participants ~~{, and}~~ ;
471 ~~{(B)}~~ (iii) The new district may, to a maximum of \$500,000, ~~{be reimbursed~~
to} reimburse the city or interlocal agreement
472 participants ~~{by the new district}~~ [within one year after the new district begins providing
473 educational services] for:
(A) transition team costs and expenses; and
(B) startup costs and expenses incurred by the city or interlocal agreement participants on behalf of
the new district .

8. Page 18, Lines 528 through 529:

528 (ii) the school district board of the new district.
(8) This section applies to and governs all actions and proceedings relating to and following the
creation of a new district, whether the election under Subsection 53A-2-118(5) on the proposal to create a
new school district occurs before or after the effective date of this section, including:
(a) the election of school district board members; and
(b) transition team duties and responsibilities, whether the transition team is appointed before or
after the effective date of this section.
Section 4. Section 53A-2-121 is amended to read:
53A-2-121. Indebtedness on property within new school district.
(1) (a) The boards of the remaining and new districts shall determine the portion of the existing district's
bonded indebtedness and other indebtedness for which the property within the new district remains subject to
the levy of taxes to pay a proportionate share of the existing district's outstanding indebtedness.
(b) The proportionate share of the existing district's outstanding indebtedness for which property within
the new district remains subject to the levy of taxes shall be calculated by determining the proportion that the
total assessed valuation of the property within the new district bears to the total assessed valuation of the
existing district :
(i) in the year immediately preceding the date the new district was created ~~{,}~~ ; or
(ii) at a time mutually agreed upon by the school district board of the new district and the school
district board of the remaining district.
(c) The agreement reflecting the determinations made under this Subsection (1) shall take effect upon
being filed with the county legislative body and the State Board of Education.
(2) The board of the remaining district shall continue to levy a tax on property within the new district
sufficient to pay the new district's proportionate share of the indebtedness determined under this section, and
shall annually report the amount of the proceeds of the tax to the business administrator of the new district.
(3) (a) The boards of the remaining and new districts shall determine by mutual agreement the
disposition of bonds approved but not issued by the existing district before the creation of the new district based

primarily on the representation made to the voters at the time of the bond election.

(b) Before a determination is made under Subsection (3)(a), a remaining district may not issue bonds approved but not issued before the creation of the new district if property in the new district would be subject to the levy of a tax to pay the bonds.

529

Section ~~{4}~~ 5 . Effective date.

9. *Page 18, Line 533:*

533 the date of veto override.

Section 6. Revisor instructions.

It is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, replace the phrase "the effective date of this section" in Subsection 53A-2-118.1(8) of this bill with the actual effective date of this bill.