

H.B. 229

PUBLIC SCHOOL FUNDING

HOUSE COMMITTEE AMENDMENTS

AMENDMENT 2

JANUARY 27, 2009 11:47 AM

Representative **Wayne A. Harper** proposes the following amendments:

1. *Page 1, Lines 12 through 23:*

12 Highlighted Provisions:

13 This bill:

14 ▶ repeals the authority of school districts to levy certain property taxes;

15 {→ ~~increases the statewide minimum basic tax rate;~~}

16 {→ ~~creates the Homeowner Protection Program;~~}

17 ▶ requires a school district to use the increased revenue received from the {~~Homeowner~~

18 ~~Protection Program~~} Uniform School Fund due to the 1.45% increase in the sales and use tax to pay
for bond interest, principal, and redemption premiums

19 first;

20 ▶ requires a school district to use the remaining money received from the {~~Homeowner~~

21 ~~Protection Program~~} Uniform School Fund due to the 1.45% increase in the sales and use tax to
offset the loss of certain property tax revenue;

22 ▶ prohibits a taxing entity from imposing a property tax rate higher than the taxing

23 entity's certified tax rate for three years;

2. *Page 13, Lines 371 through 381:*

371 (4) (a) (i) Except as provided in {~~Subsection~~} Subsections (4)(a)(ii) and (4)(a)(iv) , a
school district shall allocate a

372 portion of school district revenues for each resident student of the school district who is

373 enrolled in a charter school on October 1 equal to 25% of the lesser of:

374 (A) district per pupil local revenues; or

375 (B) charter school students' average local revenues.

376 (ii) For the purpose of allocating school district revenues under Subsection (4)(a)(i), a

377 kindergarten student who is enrolled in less than a full-day kindergarten program is weighted as

378 .55 of a student.

379 (iii) Nothing in this Subsection (4)(a) affects the school bond guarantee program

380 established under Chapter 28, Utah School Bond Guaranty Act.

(iv) For purposes of calculating the allocation to a charter school from a school district as described in Subsection (4)(a)(i), beginning with fiscal year 2010-11, the State Board of Education shall reduce the allocation from the school district to the charter school by an amount equal to the amount of revenue the charter school receives during that fiscal year from the allocations described in Subsection

53A-17a-164(1).

381 (b) The State Board of Education shall:

3. Page 14, Lines 400 through 407:

400 (B) statewide average debt service revenues.

401 { ~~(iii) If the total of a school district's allocation for a charter school student under~~
402 ~~Subsection (4)(a) and the amount provided by the state under Subsection (4)(d)(ii) is less than~~
403 ~~[\$1427] \$ _____, the state shall provide an additional supplement so that a charter~~
404 ~~school receives at least [\$1427] \$ _____ per student under this Subsection (4).~~ }

405 { ~~(iv)~~ } (iii) For the purpose of providing state monies for charter school students under this
406 Subsection (4)(d), a kindergarten student who is enrolled in less than a full-day kindergarten
407 program is weighted as .55 of a student.

4. Page 38, Lines 1155 through 1161:

1155 Section 22. Section **53A-17a-164** is enacted to read:

1156 53A-17a-164. { ~~Homeowner Protection Program--~~ } Increase in the Uniform School

1157 Fund -- Use of funds received by a school district -- Property tax offset.

1158 (1) The revenue deposited into the Uniform School Fund under Subsection

1159 59-12-103(13) { ~~as part of the Homeowner Protection Program,~~ } shall be allocated to school

1160 districts based on a school district's total weighted pupil units compared to the total weighted

1161 pupil units for all districts in the state.

5. Page 39, Lines 1182 through 1185:

1182 (4) (a) Beginning with fiscal year 2010-11, the State Board of Education shall deduct an
1183 amount equal to the amount of the revenue a charter school receives during the same fiscal year
1184 from the allocations described in Subsection (1) from the state funds the charter school is
1185 authorized to receive from a school district in accordance with Section 53A-1a-513.

(b) Beginning with fiscal year 2010-11, if the amount of revenue a charter school receives from the allocations described in Subsection (1) during a fiscal year is more than the amount of revenue the charter school would receive from a school district in accordance with Subsection 53A-1a-513(4)(a)(i) during the same fiscal year, the State Board of Education shall deduct an amount equal to the difference of the following from the state funds the charter school is authorized to receive under Title 53A, Chapter 17a, Minimum School Program Act { ~~-~~ } =

(i) the amount of revenue the charter school receives from the allocations described in Subsection (1); and

(ii) the amount of revenue deducted from the charter school's allocation from a school district as described in Subsection 53A-1a-513(4)(a)(iv) during the same fiscal year.

6. *Page 39, Lines 1191 through 1194:*

1191 (2) Of the monies appropriated in Subsection (1), the State Board of Education shall
1192 distribute[~~:(a) \$24,358,000 in accordance with the Capital Outlay Foundation Program~~
1193 ~~pursuant to Section 53A-21-202; and (b) \$2,930,900]~~ { ~~\$27,288,000~~ } ~~\$27,288,900~~ in accordance with
1194 the
1194 Capital Outlay Enrollment Growth Program pursuant to Section 53A-21-302.