

1 **SCHOOL FINANCE AMENDMENTS**

2 2011 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Merlynn T. Newbold**

5 Senate Sponsor: Curtis S. Bramble

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions of the Minimum School Program Act relating to certain
10 property tax levies and the funding of public school programs.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ increases the voted leeway and board guarantees each year by .0005 times the value
14 of the prior year's weighted pupil unit ~~Ⓢ~~→ **subject to the Legislature appropriating funds for an**
14a **increase in the guarantee ←Ⓢ** ; and

15 ▶ makes technical changes.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **53A-17a-133**, as last amended by Laws of Utah 2010, Chapter 399

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

25 Section 1. Section **53A-17a-133** is amended to read:

26 **53A-17a-133. State-supported voted leeway program authorized -- Election**
27 **requirements -- State guarantee -- Reconsideration of the program.**



28 (1) An election to consider adoption or modification of a voted leeway program is
 29 required if initiative petitions signed by 10% of the number of electors who voted at the last
 30 preceding general election are presented to the local school board or by action of the board.

31 (2) (a) (i) To establish a voted leeway program, a majority of the electors of a district
 32 voting at an election in the manner set forth in Section 53A-16-110 must vote in favor of a
 33 special tax.

34 (ii) The tax rate may not exceed .002 per dollar of taxable value.

35 (b) The district may maintain a school program which exceeds the cost of the program
 36 referred to in Section 53A-17a-145 with this voted leeway.

37 (c) In order to receive state support the first year, a district must receive voter approval
 38 no later than December 1 of the year prior to implementation.

39 (3) (a) Under the voted leeway program, the state shall contribute an amount sufficient
 40 to guarantee \$25.25 per weighted pupil unit for each .0001 of the first .0016 per dollar of
 41 taxable value.

42 (b) The same dollar amount guarantee per weighted pupil unit for the .0016 per dollar
 43 of taxable value under Subsection (3)(a) shall apply to the board-approved leeway authorized
 44 in Section 53A-17a-134, so that the guarantee shall apply up to a total of .002 per dollar of
 45 taxable value if a school district levies a tax rate under both programs.

46 (c) (i) Beginning July 1, 2011, the \$25.25 guarantee under Subsections (3)(a) and (b)
 47 shall be indexed each year to the value of the weighted pupil unit by making the value of the
 48 guarantee equal to .010544 times the value of the prior year's weighted pupil unit.

49 (ii) The guarantee shall increase by .0005 times the value of the prior year's weighted
 50 pupil unit for each succeeding year ~~§~~ **→ subject to the Legislature appropriating funds for an**
 50a **increase in the guarantee ←§** .

51 (d) (i) The amount of state guarantee money to which a school district would otherwise
 52 be entitled to under this Subsection (3) may not be reduced for the sole reason that the district's
 53 levy is reduced as a consequence of changes in the certified tax rate under Section 59-2-924
 54 pursuant to changes in property valuation.

55 (ii) Subsection (3)(d)(i) applies for a period of five years following any such change in
 56 the certified tax rate.

57 (e) The guarantee provided under this section does not apply to the portion of a voted
 58 leeway rate that exceeds the voted leeway rate that was in effect for the previous fiscal year,