



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
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## NOTICE OF BILL RETURNED TO RULES COMMITTEE

March 2, 2011

Madam Speaker:

With committee review, the Revenue and Taxation Committee has returned **H.B. 72, TAXES AND RELATED SCHOOL FUNDING PROVISIONS AMENDMENTS**, by Representative M. Noel, to the Rules Committee without recommendation with the following amendments:

1. *Page 1, Lines 16 through 23:*

- 16 taxes;
- 17 ▶ creates a School Equalization ~~{Fund}~~ Account and provides for  
operation of the ~~{fund}~~ account ;
- 18 ▶ deposits revenues from the state sales and use tax increases into the School  
19 Equalization ~~{Fund}~~ Account ;
- 20 ▶ provides a methodology for allocations from the School Equalization  
~~{Fund}~~ Account ;
- 21 ▶ reduces school district certified property tax rates by the amount of allocations  
from
- 22 the School Equalization ~~{Fund}~~ Account ;
- 23 ▶ prohibits all taxing entities from imposing a property tax rate higher than the

2. *Page 8, Lines 227 through 229:*

- 227 (F) a voted capital outlay levy imposed under Section 53A-16-110; and
- 228 (G) the School Equalization ~~{Fund}~~ Account , in accordance with Section  
53A-21-603, except for
- 229 allocations used to abate property taxes imposed for bond payments in accordance with  
Section

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3. Page 8, Lines 241 through 243:

241 bonded indebtedness from the debt service levy imposed under Section 11-14-310 and  
242 allocations from the School Equalization ~~{Fund}~~ Account created in Section  
243 53A-21-603; and  
243 (ii) divide the sum calculated under Subsection (1)(d)(i) by statewide school district

4. Page 16, Lines 486 through 489:

486 (b) the school district's ADM.  
487 (8) "School Equalization" ~~{Fund}~~ Account "or" ~~{fund}~~ account "  
means the" ~~{fund}~~ account created in Section  
488 53A-21-602.  
489 ~~[(8)]~~ (9) "Statewide average property tax base per ADM" means the quotient of:

5. Page 17, Lines 503 through 515:

503 Section 9. Section **53A-21-602** is enacted to read:  
504 53A-21-602. School Equalization ~~{Fund}~~ Account -- Sources of revenue --  
Interest.  
505 (1) There is created a ~~{special revenue fund}~~ restricted account within  
the Education Fund known as the  
506 "School Equalization" ~~{Fund}~~ Account ."  
507 (2) (a) The ~~{fund}~~ account shall be funded by:  
508 (i) sales and use tax revenues deposited in accordance with Section 59-12-103; and  
509 (ii) legislative appropriations.  
510 (b) Any interest earned on the ~~{fund}~~ account shall be deposited into the  
~~{fund}~~ account .  
511 (3) The State Board of Education shall distribute revenues deposited into the  
~~{fund}~~ account in  
512 accordance with Section 53A-21-603.  
513 (4) A school district or charter school that receives an allocation from the School  
514 Equalization ~~{Fund}~~ Account :  
515 (a) shall first use funds to reduce and replace property taxes imposed for capital  
outlay



6. Page 18, Lines 526 through 529:

526        (3) Except as provided in Subsection (4), the State Board of Education shall  
annually:  
527        (a) determine the amount of funds available in the School Equalization  
            ~~{Fund}~~    Account    for  
528        allocation;  
529        (b) distribute 75% of the available funds to school districts in proportion to each  
            school

7. Page 107, Lines 3294 through 3297:

3294        (13) Notwithstanding Subsection (3)(a), beginning on July 1, 2012, the Division of  
3295        Finance shall deposit into the School Equalization    ~~{Fund}~~    Account    created in  
            Section 53A-21-602 7.5%  
3296        of the revenues collected from the state sales and use taxes imposed under Subsections  
3297        (2)(a)(i)(A) and (2)(b)(i).

8. Page 140, Line 4308 through Page 141, Line 4330:

4308        (3) The amendments to the following sections take effect on July 1, 2012:  
4309        (a) Section 10-1-405;  
4310        (b) Section 11-41-102;  
            =    **(c) Section 26-36a-206;**  
4311        ~~{(c)}~~    (d)    Section 53A-1a-513;  
4312        ~~{(d)}~~    (e)    Section 53A-17a-133;  
4313        ~~{(e)}~~    (f)    Section 53A-17a-134;  
4314        ~~{(f)}~~    (g)    Section 53A-21-101.5;  
4315        ~~{(g)}~~    (h)    Section 59-1-401;  
4316        ~~{(h)}~~    (i)    Section 59-12-102;  
4317        ~~{(i)}~~    (j)    Section 59-12-103;  
4318        ~~{(j)}~~    (k)    Section 59-12-104.2;  
4319        ~~{(k)}~~    (l)    Section 59-12-108;  
4320        ~~{(l)}~~    (m)    Section 59-12-401;

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4321	<del>{(m)}</del>	<u>(n)</u>	<u>Section 59-12-402;</u>
4322	<del>{(n)}</del>	<u>(o)</u>	<u>Section 59-12-703;</u>
4323	<del>{(o)}</del>	<u>(p)</u>	<u>Section 59-12-802;</u>
4324	<del>{(p)}</del>	<u>(q)</u>	<u>Section 59-12-804;</u>
4325	<del>{(q)}</del>	<u>(r)</u>	<u>Section 59-12-1201;</u>
4326	<del>{(r)}</del>	<u>(s)</u>	<u>Section 59-12-1302;</u>
4327	<del>{(s)}</del>	<u>(t)</u>	<u>Section 59-12-1402;</u>
4328	<del>{(t)}</del>	<u>(u)</u>	<u>Section 59-12-2003;</u>
4329	<del>{(u)}</del>	<u>(v)</u>	<u>Section 59-12-2103; and</u>
4330	<del>{(v)}</del>	<u>(w)</u>	<u>Section 59-12-2204.</u>

Respectfully,

Patrick Painter  
Committee Chair

Voting: --

14 HB0072.HC1.WPD 3/3/11 9:51 am /PVD RHR/AMN

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