

Representative Karen M. Peterson proposes the following substitute bill:

HOLD HARMLESS FOR PUBLIC EDUCATION ENROLLMENT

DECLINE

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen M. Peterson

Senate Sponsor: Ann Millner

LONG TITLE

General Description:

This bill contingently provides additional funding for the Minimum School Program in certain fiscal years.

Highlighted Provisions:

This bill:

- ▶ contingently provides additional funding for the Minimum School Program in certain fiscal years;
- ▶ subjects the provision of additional funding to a sunset review by a legislative committee; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

53F-9-201.1, as last amended by Laws of Utah 2022, Chapter 456



26 **63I-1-253**, as last amended by Laws of Utah 2022, Chapters 10, 30, 31, 172, 173, 194,
 27 218, 224, 229, 236, 254, 274, and 414

28

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

30 Section 1. Section **53F-9-201.1** is amended to read:

31 **53F-9-201.1. Appropriations to the Minimum School Program from the Uniform**
 32 **School Fund.**

33 (1) As used in this section:

34 (a) "Base budget" means the same as that term is defined in legislative rule.

35 (b) "Enrollment growth and inflation estimates" means the cost estimates regarding
 36 enrollment growth and inflation described in Section **53F-2-208**.

37 (2) Except as provided in Subsection **53F-9-204(3)**, for a fiscal year beginning on or
 38 after July 1, 2021, when preparing the Public Education Base Budget, the Office of the
 39 Legislative Fiscal Analyst shall include appropriations to the Minimum School Program from
 40 the Uniform School Fund, and, subject to Subsection **53F-9-204(3)**, the Public Education
 41 Economic Stabilization Restricted Account, in an amount that is greater than or equal to the
 42 sum of:

43 (a) the ongoing Income Tax Fund and Uniform School Fund appropriations to the
 44 Minimum School Program in the current fiscal year; and

45 (b) subject to Subsection **53F-9-204(3)(b)[:]**:

46 (i) enrollment growth and inflation estimates[:]; and

47 (ii) ~~to increase the value of the weighted pupil unit, as defined in Section~~

47a **53F-2-102, ←H** an amount equal to a projected reduction in appropriations to the Minimum School
 48 Program from the Uniform School Fund for the given fiscal year related to a decline in student
 49 enrollment that the Office of the Legislative Fiscal Analyst recommends to the Executive
 50 Appropriations Committee, in consultation with the state board and the Governor's Office of
 51 Planning and Budget:

52 (A) for the fiscal years beginning on July 1, 2025, 2026, 2027, 2028, and 2029; and

53 (B) if the Legislature amends the sunset date described in Section **63I-1-253** after a
 54 sunset review, for the fiscal years beginning on July 1, 2030, 2031, 2032, 2033, and 2034.

55 (3) The total annual amount deposited into the Uniform School Fund, including the
 56 deposits through the distributions described in Sections **59-7-532** and **59-10-544**, for a given

57 fiscal year may not exceed the amount appropriated from the Uniform School Fund for that
58 fiscal year.

59 Section 2. Section **63I-1-253** is amended to read:

60 **63I-1-253. Repeal dates: Titles 53 through 53G.**

61 (1) Section **53-2a-105**, which creates the Emergency Management Administration
62 Council, is repealed July 1, 2027.

63 (2) Sections **53-2a-1103** and **53-2a-1104**, which create the Search and Rescue Advisory
64 Board, are repealed July 1, 2027.

65 (3) Section **53-5-703**, which creates the Concealed Firearm Review Board, is repealed
66 July 1, 2023.

67 (4) Section **53B-6-105.5**, which creates the Technology Initiative Advisory Board, is
68 repealed July 1, 2024.

69 (5) Section **53B-7-709**, regarding five-year performance goals for the Utah System of
70 Higher Education is repealed July 1, 2027.

71 (6) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

72 (7) Section **53B-17-1203**, which creates the SafeUT and School Safety Commission, is
73 repealed January 1, 2025.

74 (8) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.

75 (9) Subsection **53C-3-203(4)(b)(vii)**, which provides for the distribution of money
76 from the Land Exchange Distribution Account to the Geological Survey for test wells and other
77 hydrologic studies in the West Desert, is repealed July 1, 2030.

78 (10) ~~[Subsection]~~ Subsections **53E-3-503(5)** and (6), which create coordinating
79 councils for youth in custody, are repealed July 1, 2027.

80 (11) In relation to a standards review committee, on January 1, 2028:

81 (a) in Subsection **53E-4-202(8)**, the language "by a standards review committee and the
82 recommendations of a standards review committee established under Section **53E-4-203**" is
83 repealed; and

84 (b) Section **53E-4-203** is repealed.

85 (12) Section **53E-4-402**, which creates the State Instructional Materials Commission, is
86 repealed July 1, 2027.

87 (13) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is

88 repealed July 1, 2023.

89 (14) Section [53F-2-420](#), which creates the Intensive Services Special Education Pilot
90 Program, is repealed July 1, 2024.

91 (15) Section [53F-5-203](#) is repealed July 1, 2024.

92 (16) Section [53F-5-213](#) is repealed July 1, 2023.

93 (17) Section [53F-5-214](#), in relation to a grant for professional learning, is repealed July
94 1, 2025.

95 (18) Section [53F-5-215](#), in relation to an elementary teacher preparation grant, is
96 repealed July 1, 2025.

97 (19) Section [53F-5-219](#), which creates the Local INnovations Civics Education Pilot
98 Program, is repealed on July 1, 2025.

99 (20) (a) Subsection [53F-9-201.1\(2\)\(b\)\(ii\)](#), in relation to the use of funds from a loss in
100 enrollment for certain fiscal years, is repealed on July 1, 2030.

101 (b) On July 1, 2030, the Office of Legislative Research and General Counsel shall
102 renumber the remaining subsections accordingly.

103 [~~20~~] (21) Subsection [53F-9-203\(7\)](#), which creates the Charter School Revolving
104 Account Committee, is repealed July 1, 2024.

105 [~~21~~] (22) Subsections [53G-4-608\(2\)\(b\)](#) and [\(4\)\(b\)](#), related to the Utah Seismic Safety
106 Commission, are repealed January 1, 2025.

107 [~~22~~] (23) Subsection [53G-8-211\(5\)](#), regarding referrals of a minor to court for a class
108 C misdemeanor, is repealed July 1, 2027.

109 [~~23~~] (24) Section [53G-9-212](#), Drinking water quality in schools, is repealed July 1,
110 2027.

111 [~~24~~] (25) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed
112 July 1, 2027.

113 Section 3. **Effective date.**

114 This bill takes effect on January 1, 2025, if the amendment to the Utah Constitution
115 proposed by S.J.R. 10, Proposal to Amend Utah Constitution - Income Tax, 2023 General
116 Session, passes the Legislature and is approved by a majority of those voting on it at the next
117 regular general election.