

Representative Mark A. Strong proposes the following substitute bill:

SCHOOL FEES AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mark A. Strong

Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This bill amends and enacts provisions related to elementary and secondary school fees.

Highlighted Provisions:

This bill:

- ▶ amends definitions;
- ▶ prescribes the fees a local education agency (LEA) may charge a secondary school student for a curricular or a co-curricular activity for a certain duration;
- ▶ authorizes an LEA to charge a secondary school student a fee for an extracurricular activity for a certain duration;
- ▶ prohibits an LEA from charging a general fee;
- ▶ amends provisions related to fees for textbooks;
- ▶ prohibits charging a student in grade 6 a fee for a remediation program; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2024:

- ▶ to State Board of Education -- Minimum School Program -- Related to Basic School Programs, as a one-time appropriation:
 - from Uniform School Fund, One-time, \$35,000,000.



26 **Other Special Clauses:**

27 This bill provides a special effective date.

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **53E-1-201**, as last amended by Laws of Utah 2022, Chapters 147, 229, 274, 285, 291,
31 354, and 461

32 **53E-8-401**, as last amended by Laws of Utah 2020, Chapter 408

33 **53E-10-305**, as last amended by Laws of Utah 2020, Chapters 220, 365

34 **53G-5-405**, as last amended by Laws of Utah 2020, Chapter 192

35 **53G-6-302**, as last amended by Laws of Utah 2022, Chapter 335

36 **53G-6-303**, as last amended by Laws of Utah 2019, Chapter 293

37 **53G-6-701**, as enacted by Laws of Utah 2018, Chapter 3

38 **53G-7-501**, as last amended by Laws of Utah 2020, Chapter 51

39 **53G-7-503**, as last amended by Laws of Utah 2021, Chapter 341

40 **53G-7-504**, as last amended by Laws of Utah 2020, Chapter 408

41 **53G-9-803**, as last amended by Laws of Utah 2019, Chapter 293

42 **53G-10-503**, as last amended by Laws of Utah 2021, Chapter 247

43 **63I-2-253**, as last amended by Laws of Utah 2022, Chapters 208, 229, 274, 354, 370,
44 and 409

45 RENUMBERS AND AMENDS:

46 **53G-7-506**, (Renumbered from 53G-7-602, as last amended by Laws of Utah 2020,
47 Chapter 138)

48 **53G-7-507**, (Renumbered from 53G-7-603, as repealed and reenacted by Laws of Utah
49 2019, Chapter 223)

50 **53G-7-508**, (Renumbered from 53G-7-606, as last amended by Laws of Utah 2019,
51 Chapters 223, 293)

52 REPEALS:

53 **53G-7-601**, as last amended by Laws of Utah 2020, Chapter 138



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

56 Section 1. Section **53E-1-201** is amended to read:

57 **53E-1-201. Reports to and action required of the Education Interim Committee.**

58 (1) In accordance with applicable provisions and Section 68-3-14, the following
59 recurring reports are due to the Education Interim Committee:

60 (a) the report described in Section 9-22-109 by the STEM Action Center Board,
61 including the information described in Section 9-22-113 on the status of the computer science
62 initiative and Section 9-22-114 on the Computing Partnerships Grants Program;

63 (b) the prioritized list of data research described in Section 53B-33-302 and the report
64 on research and activities described in Section 53B-33-304 by the Utah Data Research Center;

65 (c) the report described in Section 35A-15-303 by the State Board of Education on
66 preschool programs;

67 (d) the report described in Section 53B-1-402 by the Utah Board of Higher Education
68 on career and technical education issues and addressing workforce needs;

69 (e) the annual report of the Utah Board of Higher Education described in Section
70 53B-1-402;

71 (f) the reports described in Section 53B-28-401 by the Utah Board of Higher Education
72 regarding activities related to campus safety;

73 (g) the State Superintendent's Annual Report by the state board described in Section
74 53E-1-203;

75 (h) the annual report described in Section 53E-2-202 by the state board on the strategic
76 plan to improve student outcomes;

77 (i) the report described in Section 53E-8-204 by the state board on the Utah Schools for
78 the Deaf and the Blind;

79 (j) the report described in Section 53E-10-703 by the Utah Leading through Effective,
80 Actionable, and Dynamic Education director on research and other activities;

81 (k) the report described in Section 53F-2-522 regarding mental health screening
82 programs;

83 (l) the report described in Section 53F-4-203 by the state board and the independent
84 evaluator on an evaluation of early interactive reading software;

85 (m) the report described in Section 53F-4-407 by the state board on UPSTART;

86 (n) the reports described in Sections 53F-5-214 and 53F-5-215 by the state board
87 related to grants for professional learning and grants for an elementary teacher preparation

88 assessment;

89 (o) upon request, the report described in Section 53F-5-219 by the state board on the
90 Local Innovations Civics Education Pilot Program;

91 (p) the report described in Section 53F-5-405 by the State Board of Education
92 regarding an evaluation of a partnership that receives a grant to improve educational outcomes
93 for students who are low income;

94 (q) the report described in Section 53B-35-202 regarding the Higher Education and
95 Corrections Council;

96 (r) the report described in Section 53G-7-221 by the State Board of Education
97 regarding innovation plans; and

98 (s) the annual report described in Section 63A-2-502 by the Educational Interpretation
99 and Translation Service Procurement Advisory Council.

100 (2) In accordance with applicable provisions and Section 68-3-14, the following
101 occasional reports are due to the Education Interim Committee:

102 (a) the report described in Section 35A-15-303 by the School Readiness Board by
103 November 30, 2020, on benchmarks for certain preschool programs;

104 (b) the report described in Section 53B-28-402 by the Utah Board of Higher Education
105 on or before the Education Interim Committee's November 2021 meeting;

106 (c) if required, the report described in Section 53E-4-309 by the state board explaining
107 the reasons for changing the grade level specification for the administration of specific
108 assessments;

109 (d) if required, the report described in Section 53E-5-210 by the state board of an
110 adjustment to the minimum level that demonstrates proficiency for each statewide assessment;

111 (e) in 2022 and in 2023, on or before November 30, the report described in Subsection
112 53E-10-309(7) related to the PRIME pilot program;

113 (f) the report described in Section 53E-10-702 by Utah Leading through Effective,
114 Actionable, and Dynamic Education;

115 (g) if required, the report described in Section 53F-2-513 by the state board evaluating
116 the effects of salary bonuses on the recruitment and retention of effective teachers in high
117 poverty schools;

118 (h) the report described in Section 53F-5-210 by the state board on the Educational

119 Improvement Opportunities Outside of the Regular School Day Grant Program;

120 (i) upon request, a report described in Section 53G-7-222 by an LEA regarding
121 expenditure of a percentage of state restricted funds to support an innovative education
122 program;

123 [~~(j) the report described in Section 53G-7-503 by the state board regarding fees that~~
124 LEAs charge during the 2020-2021 school year;]

125 [~~(k)~~ (j) the reports described in Section 53G-11-304 by the state board regarding
126 proposed rules and results related to educator exit surveys; and

127 [(+) (k) the report described in Section 62A-15-117 by the Division of Substance
128 Abuse and Mental Health, the State Board of Education, and the Department of Health
129 regarding recommendations related to Medicaid reimbursement for school-based health
130 services.

131 Section 2. Section 53E-8-401 is amended to read:

132 **53E-8-401. Eligibility for services of the Utah Schools for the Deaf and the Blind.**

133 (1) Except as provided in Subsections (3), (4), and (5), an individual is eligible to
134 receive services of the Utah Schools for the Deaf and the Blind if the individual is:

135 (a) a resident of Utah;

136 (b) younger than 22 years [~~of age~~] old;

137 (c) referred to the Utah Schools for the Deaf and the Blind by:

138 (i) the individual's school district of residence;

139 (ii) a local early intervention program; or

140 (iii) if the referral is consistent with the Individual with Disabilities Education Act, 20
141 U.S.C. Sec. 1400 et seq., the Parent Infant Program; and

142 (d) identified as deaf, blind, or deafblind through:

143 (i) the special education eligibility determination process; or

144 (ii) the Section 504 eligibility determination process.

145 (2) (a) In determining eligibility for an individual who is younger than age three and is
146 deafblind, the following information may be used:

147 (i) ophthalmological and audiological documentation;

148 (ii) functional vision or hearing assessments and evaluations; or

149 (iii) informed clinical opinion conducted by a person with expertise in deafness,

150 blindness, or deafblindness.

151 (b) Informed clinical opinion shall be:

152 (i) included in the determination of eligibility when documentation is incomplete or not
153 conclusive; and

154 (ii) based on pertinent records related to the individual's current health status and
155 medical history, an evaluation and observations of the individual's level of sensory functioning,
156 and the needs of the family.

157 (3) (a) A student who qualifies for special education shall have services and placement
158 determinations made through the IEP process.

159 (b) A student who qualifies for accommodations under Section 504 shall have services
160 and placement determinations made through the Section 504 team process.

161 (4) (a) A nonresident may receive services of the Utah Schools for the Deaf and the
162 Blind in accordance with the rules of the state board described in Subsection (6).

163 (b) ~~[The rules shall]~~ Notwithstanding Section 53G-7-503, the state board shall ensure
164 that the rules described in Subsection (6) require the payment of tuition for services provided to
165 a nonresident.

166 (5) An individual is eligible to receive services from the Utah Schools for the Deaf and
167 the Blind under circumstances described in Section 53E-8-408.

168 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
169 state board:

170 (a) shall make rules that determine the eligibility of students to be served by the Utah
171 Schools for the Deaf and the Blind; and

172 (b) may make rules to allow a resident of Utah who is neither deaf, blind, nor deafblind
173 to receive services of the Utah Schools for the Deaf and the Blind if the resident is younger
174 than 22 years ~~[of age]~~ old.

175 Section 3. Section 53E-10-305 is amended to read:

176 **53E-10-305. Tuition and fees.**

177 (1) Except as provided in this section, the Utah Board of Higher Education or an
178 institution of higher education may not charge tuition or fees for a concurrent enrollment
179 course.

180 (2) (a) The Utah Board of Higher Education may charge a one-time fee for a student to

181 participate in the concurrent enrollment program.

182 (b) A student who pays a fee described in Subsection (2)(a) does not satisfy a general
183 admission application fee requirement for a full-time or part-time student at an institution of
184 higher education.

185 (3) (a) An institution of higher education may charge a one-time admission application
186 fee for concurrent enrollment course credit offered by the institution of higher education.

187 (b) Payment of the fee described in Subsection (3)(a) satisfies the general admission
188 application fee requirement for a full-time or part-time student at an institution of higher
189 education.

190 (4) (a) Except as provided in Subsection (4)(b), an institution of higher education may
191 charge partial tuition of no more than \$30 per credit hour for a concurrent enrollment course
192 for which a student earns college credit.

193 (b) An institution of higher education may not charge more than:

194 (i) \$5 per credit hour for an eligible student who qualifies for free or reduced price
195 school lunch;

196 (ii) \$10 per credit hour for a concurrent enrollment course that is taught at an LEA by
197 an eligible instructor described in Subsection 53E-10-302(6)(b); or

198 (iii) \$15 per credit hour for a concurrent enrollment course that is taught through video
199 conferencing.

200 [~~(5) In accordance with Section 53G-7-603, an LEA may charge a fee for a textbook, as~~
201 ~~defined in Section 53G-7-601, that is required for a concurrent enrollment course.]~~

202 Section 4. Section 53G-5-405 is amended to read:

203 **53G-5-405. Application of statutes and rules to charter schools.**

204 (1) A charter school shall operate in accordance with its charter agreement and is
205 subject to this public education code and other state laws applicable to public schools, except
206 as otherwise provided in this chapter and other related provisions.

207 (2) (a) Except as provided in Subsection (2)(b), state board rules governing the
208 following do not apply to a charter school:

209 (i) school libraries;

210 (ii) required school administrative and supervisory services; and

211 (iii) required expenditures for instructional supplies.

212 (b) A charter school shall comply with rules implementing statutes that prescribe how
213 state appropriations may be spent.

214 (3) The following provisions of this public education code, and rules adopted under
215 those provisions, do not apply to a charter school:

216 (a) Section [53E-4-408](#), requiring an independent evaluation of instructional materials;

217 (b) Section [53G-4-409](#), requiring the use of activity disclosure statements;

218 (c) Sections [53G-7-304](#) and [53G-7-306](#), pertaining to fiscal procedures of school
219 districts and local school boards;

220 (d) Section [~~[53G-7-606](#)~~] [53G-7-508](#), requiring notification of intent to dispose of
221 textbooks;

222 (e) Section [53G-7-1202](#), requiring the establishment of a school community council;
223 and

224 (f) Section [53G-10-404](#), requiring annual presentations on adoption.

225 (4) For the purposes of Title 63G, Chapter 6a, Utah Procurement Code, a charter
226 school is considered an educational procurement unit as defined in Section [63G-6a-103](#).

227 (5) Each charter school shall be subject to:

228 (a) Title 52, Chapter 4, Open and Public Meetings Act; and

229 (b) Title 63G, Chapter 2, Government Records Access and Management Act.

230 (6) A charter school is exempt from Section [51-2a-201.5](#), requiring accounting reports
231 of certain nonprofit corporations. A charter school is subject to the requirements of Section
232 [53G-5-404](#).

233 (7) (a) The State Charter School Board shall, in concert with the charter schools, study
234 existing state law and administrative rules for the purpose of determining from which laws and
235 rules charter schools should be exempt.

236 (b) (i) The State Charter School Board shall present recommendations for exemption to
237 the state board for consideration.

238 (ii) The state board shall consider the recommendations of the State Charter School
239 Board and respond within 60 days.

240 Section 5. Section [53G-6-302](#) is amended to read:

241 **[53G-6-302](#). Child's school district of residence -- Determination -- Responsibility**
242 **for providing educational services.**

243 (1) As used in this section:

244 (a) "Health care facility" means the same as that term is defined in Section 26-21-2.

245 (b) "Human services program" means the same as that term is defined in Section
246 62A-2-101.

247 (c) "Supervision" means a minor child is:

248 (i) receiving services from a state agency, local mental health authority, or substance
249 abuse authority with active involvement or oversight; and

250 (ii) engaged in a human services program that is properly licensed or certified and has
251 provided the school district receiving the minor child with an education plan that complies with
252 the requirements of Section 62A-2-108.1.

253 (2) The school district of residence of a minor child whose custodial parent resides
254 within Utah is:

255 (a) the school district in which the custodial parent resides; or

256 (b) the school district in which the child resides:

257 (i) while in the custody or under the supervision of a Utah state agency, local mental
258 health authority, or substance abuse authority;

259 (ii) while under the supervision of a private or public agency which is in compliance
260 with Section 62A-2-127 and is authorized to provide child placement services by the state;

261 (iii) while living with a responsible adult resident of the district, if a determination has
262 been made in accordance with rules made by the state board in accordance with Title 63G,
263 Chapter 3, Utah Administrative Rulemaking Act, that:

264 (A) the child's physical, mental, moral, or emotional health will best be served by
265 considering the child to be a resident for school purposes;

266 (B) exigent circumstances exist that do not permit the case to be appropriately
267 addressed under Section 53G-6-402; and

268 (C) considering the child to be a resident of the district under this Subsection (2)(b)(iii)
269 does not violate any other law or rule of the state board;

270 (iv) while the child is receiving services from a health care facility or human services
271 program, if a determination has been made in accordance with rules made by the state board in
272 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that:

273 (A) the child's physical, mental, moral, or emotional health will best be served by

274 considering the child to be a resident for school purposes;

275 (B) exigent circumstances exist that do not permit the case to be appropriately
276 addressed under Section 53G-6-402; and

277 (C) considering the child to be a resident of the district under this Subsection (2)(b)(iv)
278 does not violate any other law or rule of the state board; or

279 (v) if the child is married or has been determined to be an emancipated minor by a
280 court of law or by a state administrative agency authorized to make that determination.

281 (3) A minor child whose custodial parent does not reside in the state is considered to be
282 a resident of the district in which the child lives, unless that designation violates any other law
283 or rule of the state board, if:

284 (a) the child is married or an emancipated minor under Subsection (2)(b)(v);

285 (b) the child lives with a resident of the district who is a responsible adult and whom
286 the district agrees to designate as the child's legal guardian under Section 53G-6-303;

287 (c) if permissible under policies adopted by a local school board, it is established to the
288 satisfaction of the local school board that:

289 (i) the child lives with a responsible adult who is a resident of the district and is the
290 child's noncustodial parent, grandparent, brother, sister, uncle, or aunt;

291 (ii) the child's presence in the district is not for the primary purpose of attending the
292 public schools;

293 (iii) the child's physical, mental, moral, or emotional health will best be served by
294 considering the child to be a resident for school purposes; and

295 (iv) the child is prepared to abide by the policies of the school and school district in
296 which attendance is sought; or

297 (d) it is established to the satisfaction of the local school board that:

298 (i) the child's parent moves from the state;

299 (ii) the child's parent executes a power of attorney under Section 75-5-103 that:

300 (A) meets the requirements of Subsection (4); and

301 (B) delegates powers regarding care, custody, or property, including schooling, to a
302 responsible adult with whom the child resides;

303 (iii) the responsible adult described in Subsection (3)(d)(ii)(B) is a resident of the
304 district;

305 (iv) the child's physical, mental, moral, or emotional health will best be served by
306 considering the child to be a resident for school purposes;

307 (v) the child is prepared to abide by the policies of the school and school district in
308 which attendance is sought; and

309 (vi) the child's attendance in the school will not be detrimental to the school or school
310 district.

311 (4) (a) If admission is sought under Subsection (2)(b)(iii), (3)(c), or (3)(d), then the
312 district may require the person with whom the child lives to be designated as the child's
313 custodian in a durable power of attorney, issued by the party who has legal custody of the child,
314 granting the custodian full authority to take any appropriate action, including authorization for
315 educational or medical services, in the interests of the child.

316 (b) Both the party granting and the party empowered by the power of attorney shall
317 agree to:

318 (i) assume responsibility for any fees [~~or other charges~~], as defined in Section
319 53G-7-501, relating to the child's education in the district; and

320 (ii) if eligibility for fee waivers is claimed under Section 53G-7-504, provide the
321 school district with all financial information requested by the district for purposes of
322 determining eligibility for fee waivers.

323 (c) Notwithstanding Section 75-5-103, a power of attorney meeting the requirements of
324 this section and accepted by the school district shall remain in force until the earliest of the
325 following occurs:

326 (i) the child reaches the age of 18, marries, or becomes emancipated;

327 (ii) the expiration date stated in the document; or

328 (iii) the power of attorney is revoked or rendered inoperative by the grantor or grantee,
329 or by order of a court of competent jurisdiction.

330 (5) A power of attorney does not confer legal guardianship.

331 (6) Each school district is responsible for providing educational services for all
332 children of school age who are residents of the district.

333 Section 6. Section 53G-6-303 is amended to read:

334 **53G-6-303. Guardianship for residency purposes by responsible adult --**
335 **Procedure to obtain -- Termination.**

336 (1) For purposes of this part, "responsible adult" means a person 21 years ~~[of age]~~ old
337 or older who is a resident of this state and is willing and able to provide reasonably adequate
338 food, clothing, shelter, and supervision for a minor child.

339 (2) A local school board may adopt a policy permitting it to designate a responsible
340 adult residing in the school district as legal guardian of a child whose custodial parent does not
341 reside within the state upon compliance with the following requirements:

342 (a) submission to the school district of a signed and notarized affidavit by the child's
343 custodial parent stating that:

344 (i) the child's presence in the district is not for the primary purpose of attending the
345 public schools;

346 (ii) the child's physical, mental, moral, or emotional health would best be served by a
347 transfer of guardianship to the Utah resident;

348 (iii) the affiant is aware that designation of a guardian under this section is equivalent
349 to a court-ordered guardianship under Section [75-5-206](#) and will suspend or terminate any
350 existing parental or guardianship rights in the same manner as would occur under a
351 court-ordered guardianship;

352 (iv) the affiant consents and submits to any such suspension or termination of parental
353 or guardianship rights;

354 (v) the affiant consents and submits to the jurisdiction of the state district court in
355 which the school district is located in any action relating to the guardianship or custody of the
356 child in question;

357 (vi) the affiant designates a named responsible adult as agent, authorized to accept
358 service on behalf of the affiant of any process, notice, or demand required or permitted to be
359 served in connection with any action under Subsection (2)(a)(v); and

360 (vii) it is the affiant's intent that the child become a permanent resident of the state and
361 reside with and be under the supervision of the named responsible adult;

362 (b) submission to the school district of a signed and notarized affidavit by the
363 responsible adult stating that:

364 (i) the affiant is a resident of the school district and desires to become the guardian of
365 the child;

366 (ii) the affiant consents and submits to the jurisdiction of the state district court in

367 which the school district is located in any action relating to the guardianship or custody of the
368 child in question;

369 (iii) the affiant will accept the responsibilities of guardianship for the duration,
370 including the responsibility to provide adequate supervision, discipline, food, shelter,
371 educational and emotional support, and medical care for the child if designated as the child's
372 guardian; and

373 (iv) the affiant accepts the designation as agent under Subsection (2)(a)(vi);

374 (c) submission to the school district of a signed and notarized affidavit by the child
375 stating that:

376 (i) the child desires to become a permanent resident of Utah and reside with and be
377 responsible to the named responsible adult; and

378 (ii) the child will abide by all applicable policies of any public school which the child
379 may attend after guardianship is awarded; and

380 (d) if the child's custodial parent cannot be found in order to execute the statement
381 required under Subsection (2)(a), the responsible adult must submit an affidavit to that effect to
382 the district. The district shall also submit a copy of the statement to the Criminal Investigations
383 and Technical Services Division of the Department of Public Safety, established in Section
384 [53-10-103](#).

385 (3) The district may require the responsible adult, in addition to the documents set forth
386 in Subsection (2), to also submit any other documents which are relevant to the appointment of
387 a guardian of a minor or which the district reasonably believes to be necessary in connection
388 with a given application to substantiate any claim or assertion made in connection with the
389 application for guardianship.

390 (4) Upon receipt of the information and documentation required under Subsections (2)
391 and (3), and a determination by the local school board that the information is accurate, that the
392 requirements of this section have been met, and that the interests of the child would best be
393 served by granting the requested guardianship, the local school board or its authorized
394 representative may designate the applicant as guardian of the child by issuing a designation of
395 guardianship letter to the applicant.

396 (5) (a) If a local school board has adopted a policy permitting the local school board to
397 designate a guardian under this section, a denial of an application for appointment of a

398 guardian may be appealed to the district court in which the school district is located.

399 (b) The court shall uphold the decision of the local school board unless it finds, by
400 clear and convincing evidence, that the local school board's decision was arbitrary and
401 capricious.

402 (c) An applicant may, rather than appealing the local school board's decision under
403 Subsection (5)(b), file an original Petition for Appointment of Guardian with the district court,
404 which action shall proceed as if no decision had been made by the local school board.

405 (6) A responsible adult obtaining guardianship under this section has the same rights,
406 authority, and responsibilities as a guardian appointed under Section 75-5-201.

407 (7) (a) The school district shall deliver the original documents filed with the school
408 district, together with a copy of the designation of guardianship issued by the district, in person
409 or by any form of mail requiring a signed receipt, to the clerk of the state district court in which
410 the school district is located.

411 (b) The court may not charge the school district a fee for filing guardianship papers
412 under this section.

413 (8) (a) The authority and responsibility of a custodial parent submitting an affidavit
414 under this section may be restored by the district, and the guardianship obtained under this
415 section terminated by the district:

416 (i) upon submission to the school district in which the guardianship was obtained of a
417 signed and notarized statement by the person who consented to guardianship under Subsection
418 (2)(a) requesting termination of the guardianship; or

419 (ii) by the person accepting guardianship under Subsection (2)(b) requesting the
420 termination of the guardianship.

421 (b) If the school district determines that it would not be in the best interests of the child
422 to terminate the guardianship, the district may refer the request for termination to the state
423 district court in which the documents were filed under Subsection (5) for further action
424 consistent with the interests of the child.

425 (9) The school district shall retain copies of all documents required by this section
426 until the child in question has reached the age of 18 unless directed to surrender the documents
427 by a court of competent jurisdiction.

428 (10) (a) Intentional submission to a school district of fraudulent or misleading

429 information under this part is punishable under Section [76-8-504](#).

430 (b) A school district which has reason to believe that a party has intentionally
431 submitted false or misleading information under this part may, after notice and opportunity for
432 the party to respond to the allegation:

433 (i) void any guardianship, authorization, or action which was based upon the false or
434 misleading information; and

435 (ii) recover, from the party submitting the information, the full cost of any benefits
436 received by the child on the basis of the false or misleading information, including tuition, fees,
437 as defined in Section [53G-7-501](#), and other unpaid school charges, together with any related
438 costs of recovery.

439 (c) A student whose guardianship or enrollment has been terminated under this section
440 may, upon payment of all applicable tuition and fees, as defined in Section [53G-7-501](#),
441 continue in enrollment until the end of the school year unless excluded from attendance for
442 cause.

443 Section 7. Section **53G-6-701** is amended to read:

444 **53G-6-701. Definitions.**

445 ~~[Reserved]~~ As used in this part, "fee" means the same as that term is defined in Section
446 [53G-7-501](#).

447 Section 8. Section **53G-7-501** is amended to read:

448 **53G-7-501. Definitions.**

449 As used in this part:

450 (1) "Co-curricular activity" means an activity, a course, or a program that:

451 (a) is an extension of a curricular activity;

452 (b) is included in an instructional plan and supervised or conducted by a teacher or
453 education professional;

454 (c) is conducted outside of regular school hours;

455 (d) is provided, sponsored, or supported by an LEA; and

456 (e) includes a required regular school day activity, course, or program.

457 (2) "Curricular activity" means an activity, a course, or a program that is:

458 (a) intended to deliver instruction;

459 (b) provided, sponsored, or supported by an LEA; and

460 (c) conducted only during school hours.

461 (3) "Elementary school" means a school that provides instruction to students in grades
462 kindergarten, 1, 2, 3, 4, 5, or 6.

463 (4) (a) "Elementary school student" means a student enrolled in an elementary school.

464 (b) "Elementary school student" does not include a secondary school student.

465 (5) (a) "Extracurricular activity" means an activity, a course, or a program that is:

466 (i) not directly related to delivering instruction;

467 (ii) not a curricular activity or co-curricular activity; and

468 (iii) provided, sponsored, or supported by an LEA.

469 (b) "Extracurricular activity" does not include a noncurricular club as defined in
470 Section 53G-7-701.

471 (6) (a) "Fee" means a charge, expense, deposit, rental, or payment:

472 (i) regardless of how the charge, expense, deposit, rental, or payment is termed,
473 described, requested, or required directly or indirectly;

474 (ii) in the form of money, goods, or services; and

475 (iii) that is a condition to a student's full participation in an activity, course, or program
476 that is provided, sponsored, or supported by an LEA.

477 (b) "Fee" includes:

478 ~~[(i) money or something of monetary value raised by a student or the student's family
479 through fundraising;]~~

480 ~~[(ii)]~~ (i) charges or expenditures for a school field trip or activity trip, including related
481 transportation, food, lodging, and admission charges;

482 ~~[(iii)]~~ (ii) payments made to a third party that provides a part of a school activity, class,
483 or program;

484 ~~[(iv)]~~ (iii) charges or expenditures for classroom~~[(A) textbooks; (B)]~~ instructional
485 equipment or supplies; ~~[(or)]~~

486 ~~[(C) materials;]~~

487 ~~[(v)]~~ (iv) charges or expenditures for school activity clothing; and

488 ~~[(vi)]~~ (v) a fine other than a fine described in Subsection (6)(c)(i).

489 (c) "Fee" does not include:

490 (i) a student fine specifically approved by an LEA for:

- 491 (A) failing to return school property;
- 492 (B) losing, wasting, or damaging private or school property through intentional,
493 careless, or irresponsible behavior, or as described in Section [53G-8-212](#); or
- 494 (C) improper use of school property, including a parking violation;
- 495 (ii) a payment for school breakfast or lunch;
- 496 (iii) a deposit that is:
- 497 (A) a pledge securing the return of school property; and
- 498 (B) refunded upon the return of the school property; [~~or~~]
- 499 (iv) a charge for insurance, unless the insurance is required for a student to participate
500 in an activity, course, or program[~~;~~]; or
- 501 (v) money or another item of monetary value raised by a student or the student's family
502 through fundraising.
- 503 (7) (a) "Fundraising" means an activity or event provided, sponsored, or supported by
504 an LEA that uses students to generate funds or raise money to:
- 505 (i) provide financial support to a school or a school's class, group, team, or program; or
- 506 (ii) benefit a particular charity or for other charitable purposes.
- 507 (b) "Fundraising" does not include an alternative method of raising revenue without
508 students.
- 509 (8) (a) "Instructional equipment or supplies" means an activity-, course-, or
510 program-related supply or tool that:
- 511 (i) a student is required to use as part of an activity, course, or program in a secondary
512 school;
- 513 (ii) becomes the property of the student upon exiting the activity, course, or program;
514 and
- 515 (iii) is subject to a fee waiver.
- 516 (b) "Instructional equipment or supplies" does not include school equipment.
- 517 [~~(8)~~] (9) (a) "School activity clothing" means special shoes or items of clothing:
- 518 (i) (A) that meet specific requirements, including requesting a specific brand, fabric, or
519 imprint; and
- 520 (B) that a school requires a student to provide; and
- 521 (ii) that [~~is~~] are required to be worn by a student for [~~a co-curricular or extracurricular~~]

522 an activity-, course-, or a program-related activity.

523 (b) "School activity clothing" does not include:

524 (i) a school uniform; or

525 (ii) clothing that is commonly found in students' homes.

526 (10) "School equipment" means a machine, equipment, a facility, or a tool that:

527 (a) is durable;

528 (b) is owned by a secondary school; and

529 (c) a student uses as part of an activity, course, or program in a secondary school.

530 ~~[(9)]~~ (11) (a) "School uniform" means special shoes or an item of clothing:

531 (i) (A) that meet specific requirements, including a requested specific color, style,
532 fabric, or imprint; and

533 (B) that a school requires a student to provide; and

534 (ii) that is worn by a student for a curricular activity.

535 (b) "School uniform" does not include school activity clothing.

536 ~~[(10)]~~ (12) "Secondary school" means a school that provides instruction to students in
537 grades 7, 8, 9, 10, 11, or 12.

538 ~~[(11)]~~ (13) "Secondary school student":

539 (a) means a student enrolled in a secondary school; and

540 (b) includes a student in grade 6 if the student attends a secondary school.

541 ~~[(12)]~~ (14) (a) "Textbook" means [the same as that term is defined in Section

542 53G-7-601:] instructional material necessary for participation in an activity, course, or
543 program, regardless of the format of the material.

544 (b) "Textbook" includes:

545 (i) a hardcopy book or printed pages of instructional material, including a consumable
546 workbook; or

547 (ii) computer hardware, software, or digital content.

548 (c) "Textbook" does not include instructional equipment or supplies.

549 ~~[(13)]~~ (15) "Waiver" means a full [or partial] release from a requirement to pay a fee
550 and from any provision in lieu of fee payment.

551 Section 9. Section **53G-7-503** is amended to read:

552 **53G-7-503. Fees -- Prohibitions -- Voluntary supplies -- Enforcement -- Penalties.**

553 (1) (a) An LEA may only charge a fee if the fee is:

554 (i) authorized under this part; and

555 (ii) noticed by the LEA governing board in accordance with Section [53G-7-505](#).

556 (b) Beginning July 1, 2023, and ending June 30, 2028, an LEA shall determine a
557 phase-out plan for charging fees under this section.

558 (2) (a) An LEA may not require a fee for elementary school activities that are part of
559 the regular school day or for supplies used during the regular school day.

560 (b) An elementary school or elementary school teacher may compile and provide to [a]
561 an elementary school student's parent a suggested list of supplies for use during the regular
562 school day so that a parent may furnish, only on a voluntary basis, those supplies for student
563 use.

564 (c) A list provided to an elementary school student's parent in accordance with
565 Subsection (2)(b) shall include and be preceded by the following language:

566 "NOTICE: THE ITEMS ON THIS LIST WILL BE USED DURING THE REGULAR
567 SCHOOL DAY. THEY MAY BE BROUGHT FROM HOME ON A VOLUNTARY BASIS,
568 OTHERWISE, THEY WILL BE FURNISHED BY THE SCHOOL."

569 (3) Beginning with the 2028-2029 school year:

570 (a) for a curricular activity or a co-curricular activity, an LEA may not charge a
571 secondary student a fee except for the following:

572 (i) instructional equipment or supplies;

573 (ii) an Advanced Placement exam;

574 (iii) an International Baccalaureate exam;

575 (iv) a driver education course described in Section [53G-10-503](#);

576 (v) a payment for a fee for:

577 (A) open enrollment application processing in accordance with Section [53G-6-402](#);

578 (B) charter school application processing in accordance with Section [53G-6-503](#); or

579 (C) competency remediation programs in accordance with Section [53G-9-803](#);

580 (vi) a payment described in Subsection (5); or

581 (vii) a music instrument rental; and

582 (b) for that portion of a co-curricular activity that is outside of regular school hours, an
583 LEA may only charge a secondary student for the fees described in Subsection (3)(a).

584 (4) Except as provided in Subsection (6), an LEA may charge a secondary student a fee
 585 for an extracurricular activity, including the life-cycle replacement costs for school equipment
 586 directly related to the extracurricular activity.

587 (5) An LEA may charge a secondary student or an individual a fee for an adult
 588 education course in accordance with Section [53E-10-202](#).

589 (6) Beginning with the 2028-2029 school year, an LEA may not charge a fee, except as
 590 provided in Subsection (4):

591 (a) for school equipment; or

592 (b) that is general in nature and for a service or good that does not have a direct benefit
 593 to the student paying the fee.

594 (7) An LEA governing board shall authorize each fee individually.

595 ~~[(3)]~~ (8) (a) [Beginning with or after the 2022-2023 school year, if] If an LEA imposes
 596 a fee under this part, the fee shall be equal to or less than the expense incurred by the LEA in
 597 providing for a student the activity, course, or program for which the LEA imposes the fee.

598 (b) An LEA may not impose an additional fee or increase a fee to supplant or subsidize
 599 another fee, including a fee to supplant or subsidize an expense that the LEA incurs for:

600 (i) a curricular activity; or

601 (ii) an expense for the portion of a co-curricular activity that occurs during regular
 602 school hours.

603 ~~[(4)(a)]~~ (9) [Beginning with or after the 2021-2022 school year, and notwithstanding]
 604 Notwithstanding Section [53E-3-401](#), if the state board finds that an LEA has violated a
 605 provision of this part [or Part 6, Textbook Fees], the state board shall impose corrective action
 606 against the LEA, which may include:

607 ~~[(i)]~~ (a) requiring an LEA to repay improperly charged fees;

608 ~~[(ii)]~~ (b) withholding state funds; [and] or

609 ~~[(iii)]~~ (c) suspending the LEA's authority to charge fees for an amount of time specified
 610 by the state board.

611 ~~[(b)]~~ (10) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
 612 Act, the state board shall make rules:

613 ~~[(i)]~~ (a) that require notice and an opportunity to be heard for an LEA affected by a
 614 state board action described in Subsection ~~[(4)(a)]~~ (9); and

615 ~~[(i)]~~ (b) to administer ~~[this Subsection (4)]~~ Subsection (9) and this Subsection (10).

616 (11) If the Legislature does not appropriate funds, in whole or in part, for an LEA to
 617 implement this part, additional appropriations may be addressed through future appropriations
 618 or through specific funds made available to LEAs.

619 ~~[(5) (a) For each fee on an LEA's fee schedule described in Section 53G-7-505, the~~
 620 ~~LEA shall:]~~

621 ~~[(i) by July 1, 2020, determine whether the fee is curricular, co-curricular, or~~
 622 ~~extracurricular;]~~

623 ~~[(ii) for the 2020-2021 school year, measure the total number of:]~~

624 ~~[(A) students who pay each fee; and]~~

625 ~~[(B) money received for each fee;]~~

626 ~~[(iii) for the 2020-2021 school year, measure the total:]~~

627 ~~[(A) number of students who receive a fee waiver; and]~~

628 ~~[(B) value of each waiver for each waived fee; and]~~

629 ~~[(iv) by July 1, 2021, report the separate categories of data gathered under Subsections~~
 630 ~~(5)(a)(ii) and (iii) to the state board.]~~

631 ~~[(b) The state board shall report on the data the board receives under Subsection (5)(a)~~
 632 ~~to the Education Interim Committee on or before the date of the November interim meeting in~~
 633 ~~2021.]~~

634 Section 10. Section **53G-7-504** is amended to read:

635 **53G-7-504. Waiver of fees -- Appeal of decision.**

636 (1) (a) [H] Subject to the provisions of this part, if an LEA or a school within an LEA
 637 charges one or more fees, the LEA shall grant a waiver to a student if charging the fee would
 638 deny the student the opportunity to fully participate or complete a requirement because of an
 639 inability to pay the fee.

640 (b) An LEA governing board shall:

641 (i) adopt policies for granting a waiver; and

642 (ii) in accordance with Section **53G-7-505**, give notice of waiver eligibility and
 643 policies.

644 (2) (a) An LEA that charges a fee under this part ~~[and Part 6, Textbook Fees,]~~ may
 645 provide a variety of alternatives for a student or family to satisfy a fee requirement, including

646 allowing a student to provide:

647 (i) tutorial assistance to other students;

648 (ii) assistance before or after school to teachers and other school personnel on school
649 related matters; and

650 (iii) general community or home service.

651 (b) Each LEA governing board may add to the list of alternatives provided by the state
652 board, subject to approval by the state board.

653 (3) With regard to a student who is in the custody of the Division of Child and Family
654 Services who is also eligible under Title IV-E of the federal Social Security Act, an LEA
655 governing board shall require fee waivers or alternatives in accordance with this section.

656 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
657 state board shall make rules:

658 (a) requiring a parent of a student applying for a fee waiver to provide documentation
659 and certification to the school verifying:

660 (i) the student's eligibility to receive the waiver; and

661 (ii) if applicable, that the student has complied with alternatives for satisfying the fee
662 requirements under Subsection (2) to the fullest extent reasonably possible according to the
663 individual circumstances of the student and the LEA; and

664 (b) specifying the acceptable forms of documentation for the requirement under
665 Subsection (4)(a), which shall include verification based on income tax returns or current pay
666 stubs.

667 (5) Notwithstanding the requirements under Subsection (4), an LEA is not required to
668 keep documentation on file after the verification is completed.

669 (6) If a school denies a student or parent request for a fee waiver, the school shall
670 provide the student or parent:

671 (a) the school's written decision to deny a waiver; and

672 (b) the procedure to appeal in accordance with LEA policy.

673 Section 11. Section **53G-7-506**, which is renumbered from Section 53G-7-602 is
674 renumbered and amended to read:

675 ~~[53G-7-602]~~. **53G-7-506. State policy on providing free textbooks.**

676 (1) It is the public policy of this state that public education shall be free.

677 (2) A student may not be denied an education because of economic inability to
678 purchase textbooks necessary for advancement in or graduation from the public school system.

679 (3) ~~[(a)] Beginning with the [2022-23] 2023-2024 school year, an LEA[:(i) except as~~
680 ~~provided in Subsection (3)(a)(ii);]~~ may not sell textbooks to students or otherwise charge
681 students a fee for textbooks [or the maintenance costs of school equipment, and].

682 ~~[(ii) may only charge a fee for a textbook required for an Advanced Placement or, as~~
683 ~~described in Section 53E-10-302, a concurrent enrollment course.]~~

684 ~~[(b) The LEA shall waive a fee described in Subsection (3)(a)(ii) in full or in part if a~~
685 ~~student qualifies for a waiver in accordance with Section 53G-7-504.]~~

686 Section 12. Section **53G-7-507**, which is renumbered from Section 53G-7-603 is
687 renumbered and amended to read:

688 ~~[53G-7-603].~~ **53G-7-507. Purchase of textbooks -- Textbooks provided to**
689 **teachers.**

690 (1) An LEA governing board may purchase textbooks directly from the textbook
691 publisher at prices and terms approved by the state board.

692 (2) An LEA governing board shall purchase each textbook necessary for a teacher to
693 conduct ~~[his or her]~~ the teacher's class.

694 (3) An LEA may pay the LEA's cost of furnishing textbooks from school operating
695 funds, the textbook fund, or from other available funds.

696 (4) A textbook remains the property of the LEA.

697 Section 13. Section **53G-7-508**, which is renumbered from Section 53G-7-606 is
698 renumbered and amended to read:

699 ~~[53G-7-606].~~ **53G-7-508. Disposal of textbooks.**

700 (1) An LEA may not dispose of textbooks without first notifying all other LEAs in the
701 state of the LEA's intent to dispose of the textbooks.

702 (2) Subsection (1) does not apply to textbooks that have been damaged, mutilated, or
703 worn out.

704 (3) The state board shall develop rules and procedures directing the disposal of
705 textbooks.

706 Section 14. Section **53G-9-803** is amended to read:

707 **53G-9-803. Remediation programs for secondary students.**

708 (1) For purposes of this section:

709 (a) "Secondary school" means a school that provides instruction to students in grades 7,
710 8, 9, 10, 11, or 12.

711 (b) "Secondary school student":

712 (i) means a student enrolled in a secondary school; and

713 (ii) includes a student in grade 6 if the student attends a secondary school.

714 (2) A school district or charter school shall implement programs for secondary school
715 students to attain the competency levels and graduation requirements established by the state
716 board.

717 (3) (a) A school district or charter school shall establish remediation programs for
718 secondary school students who do not meet competency levels in English, mathematics,
719 science, or social studies.

720 (b) Participation in the programs is mandatory for secondary school students who fail
721 to meet the competency levels based on classroom performance.

722 (4) Secondary school students who require remediation under this section may not be
723 advanced to the following class in subject sequences until [~~they meet~~] the student meets the
724 required competency level for the subject or complete the required remediation program,
725 except that a school district or charter school may allow secondary school students requiring
726 remediation who would otherwise be scheduled to enter [~~their~~] the student's first year of high
727 school to complete [~~their~~] the student's remediation program during that first year.

728 (5) (a) Remediation programs provided under this section should not be unnecessarily
729 lengthy or repetitive.

730 (b) A secondary school student need not repeat an entire class if remediation can
731 reasonably be achieved through other means.

732 (6) A school district or charter school may charge secondary school students a fee to
733 participate in the remediation programs unless the secondary school student is in grade 6.

734 Section 15. Section **53G-10-503** is amended to read:

735 **53G-10-503. Driver education funding -- Reimbursement of a local education**
736 **agency for driver education class expenses -- Limitations -- Excess funds -- Student fees.**

737 (1) (a) Except as provided in Subsection (1)(b), a local education agency that provides
738 driver education shall fund the program solely through:

739 (i) funds provided from the Automobile Driver Education Tax Account in the Uniform
740 School Fund as created under Section 41-1a-1205; and

741 (ii) student fees collected by each school.

742 (b) In determining the cost of driver education, a local education agency may exclude:

743 (i) the full-time equivalent cost of a teacher for a driver education class taught during
744 regular school hours; and

745 (ii) classroom space and classroom maintenance.

746 (c) A local education agency may not use any additional school funds beyond those
747 allowed under Subsection (1)(b) to subsidize driver education.

748 (2) (a) The state superintendent shall, prior to September 2nd following the school year
749 during which it was expended, or may at earlier intervals during that school year, reimburse
750 each local education agency that applied for reimbursement in accordance with this section.

751 (b) A local education agency that maintains driver education classes that conform to
752 this part and the rules prescribed by the state board may apply for reimbursement for the actual
753 cost of providing the behind-the-wheel and observation training incidental to those classes.

754 (3) Under the state board's supervision for driver education, a local education agency
755 may:

756 (a) employ personnel who are not licensed by the state board under Section 53E-6-201;

757 or

758 (b) contract with private parties or agencies licensed under Section 53-3-504 for the
759 behind-the-wheel phase of the driver education program.

760 (4) The reimbursement amount shall be paid out of the Automobile Driver Education
761 Tax Account in the Uniform School Fund and may not exceed:

762 (a) \$100 per student who has completed driver education during the school year;

763 (b) \$30 per student who has only completed the classroom portion in the school during
764 the school year; or

765 (c) \$70 per student who has only completed the behind-the-wheel and observation
766 portion in the school during the school year.

767 (5) If the amount of money in the account at the end of a school year is less than the
768 total of the reimbursable costs, the state superintendent shall allocate the money to each local
769 education agency in the same proportion that the local education agency's reimbursable costs

770 bear to the total reimbursable costs of all local education agencies.

771 (6) If the amount of money in the account at the end of any school year is more than the
772 total of the reimbursement costs provided under Subsection (4), the state superintendent may
773 allocate the excess funds to local education agencies:

774 (a) to reimburse each local education agency that applies for reimbursement of the cost
775 of a fee waived under Section 53G-7-504 for driver education; and

776 (b) to aid in the procurement of equipment and facilities which reduce the cost of
777 behind-the-wheel instruction.

778 (7) (a) A local school board shall, in accordance with Chapter 7, Part 5, Student Fees,
779 establish the student fee for driver education for the local education agency.

780 (b) Student fees shall be reasonably associated with the costs of driver education that
781 are not otherwise covered by reimbursements and allocations made under this section.

782 Section 16. Section 63I-2-253 is amended to read:

783 **63I-2-253. Repeal dates: Titles 53 through 53G.**

784 [~~(1)(a) Subsection 53B-2a-108(5), regarding exceptions to the composition of a~~
785 ~~technical college board of trustees, is repealed July 1, 2022.]~~

786 [~~(b) When repealing Subsection 53B-2a-108(5), the Office of Legislative Research and~~
787 ~~General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make~~
788 ~~necessary changes to subsection numbering and cross references.]~~

789 [~~(2)~~] (1) Section 53B-6-105.7 is repealed July 1, 2024.

790 [~~(3)~~] (2) Section 53B-7-707 regarding performance metrics for technical colleges is
791 repealed July 1, 2023.

792 [~~(4)~~] (3) Section 53B-8-114 is repealed July 1, 2024.

793 [~~(5)~~] (4) The following provisions, regarding the Regents' scholarship program, are
794 repealed on July 1, 2023:

795 (a) in Subsection 53B-8-105(12), the language that states, "or any scholarship
796 established under Sections 53B-8-202 through 53B-8-205";

797 (b) Section 53B-8-202;

798 (c) Section 53B-8-203;

799 (d) Section 53B-8-204; and

800 (e) Section 53B-8-205.

- 801 ~~[(6)]~~ (5) Section 53B-10-101 is repealed on July 1, 2027.
- 802 ~~[(7)]~~ (6) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
803 repealed July 1, 2023.
- 804 ~~[(8)]~~ (7) Subsection 53E-1-201(1)(s) regarding the report by the Educational
805 Interpretation and Translation Services Procurement Advisory Council is repealed July 1, 2024.
- 806 ~~[(9)]~~ (8) Section 53E-1-202.2, regarding a Public Education Appropriations
807 Subcommittee evaluation and recommendations, is repealed January 1, 2024.
- 808 ~~[(10)]~~ (9) Subsection 53E-10-309(7), related to the PRIME pilot program, is repealed
809 July 1, 2024.
- 810 ~~[(11)]~~ (10) In Subsections 53F-2-205(4) and (5), regarding the State Board of
811 Education's duties if contributions from the minimum basic tax rate are overestimated or
812 underestimated, the language that states "or 53F-2-301.5, as applicable" is repealed July 1,
813 2023.
- 814 ~~[(12)]~~ (11) Section 53F-2-209, regarding local education agency budgetary flexibility,
815 is repealed July 1, 2024.
- 816 ~~[(13)]~~ (12) Subsection 53F-2-301(1), relating to the years the section is not in effect, is
817 repealed July 1, 2023.
- 818 ~~[(14)]~~ (13) Section 53F-2-302.1, regarding the Enrollment Growth Contingency
819 Program, is repealed July 1, 2023.
- 820 ~~[(15)]~~ (14) Subsection 53F-2-314(4), relating to a one-time expenditure between the
821 at-risk WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.
- 822 ~~[(16)]~~ (15) Section 53F-2-524, regarding teacher bonuses for extra work assignments,
823 is repealed July 1, 2024.
- 824 ~~[(17)]~~ (16) In Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as
825 applicable" is repealed July 1, 2023.
- 826 ~~[(18) Subsection 53F-4-401(3)(b), regarding a child enrolled or eligible for enrollment
827 in kindergarten, is repealed July 1, 2022.]~~
- 828 ~~[(19) In Subsection 53F-4-404(4)(c), the language that states "Except as provided in
829 Subsection (4)(d)" is repealed July 1, 2022.]~~
- 830 ~~[(20) Subsection 53F-4-404(4)(d) is repealed July 1, 2022.]~~
- 831 ~~[(21)]~~ (17) In Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as

832 applicable" is repealed July 1, 2023.

833 [~~(22)~~] (18) In Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as
834 applicable" is repealed July 1, 2023.

835 [~~(23)~~] (19) In Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as
836 applicable" is repealed July 1, 2023.

837 [~~(24)~~] (20) In Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5,
838 as applicable" is repealed July 1, 2023.

839 [(25)] (21) On July 1, 2023, when making changes in this section, the Office of
840 Legislative Research and General Counsel shall, in addition to the office's authority under
841 Subsection 36-12-12(3), make corrections necessary to ensure that sections and subsections
842 identified in this section are complete sentences and accurately reflect the office's perception of
843 the Legislature's intent.

844 Section 17. **Repealer.**

845 This bill repeals:

846 Section 53G-7-601, **Definitions.**

847 Section 18. **Appropriation.**

848 The following sums of money are appropriated for the fiscal year beginning July 1,
849 2023, and ending June 30, 2024. These are additions to amounts previously appropriated for
850 fiscal year 2024. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
851 Act, the Legislature appropriates the following sums of money from the funds or accounts
852 indicated for the use and support of the government of the state of Utah.

853 ITEM 1

854 To State Board of Education -- Minimum School Program -- Related to Basic School Programs

855 From Uniform School Fund, One-time 35,000,000

856 Schedule of Programs:

857 School Fee Changes 35,000,000

858 Under Section 63J-1-603, the Legislature intends that appropriations provided in this
859 section not lapse at the end of fiscal year 2024. The use of any nonlapsing funds is limited to
860 the School Fee Changes program.

861 Section 19. **Effective date.**

862 This bill takes effect on July 1, 2023.