

Representative Gay Lynn Bennion proposes the following substitute bill:

SCHOOL ENERGY AND WATER REDUCTIONS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gay Lynn Bennion

Senate Sponsor: Kirk A. Cullimore

LONG TITLE

General Description:

This bill addresses grant money for energy and water reductions.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ authorizes the state board to issue grants related to energy and water reductions;
- ▶ provides for prioritizing certain projects;
- ▶ requires rulemaking;
- ▶ requires use of an evaluation panel;
- ▶ requires reporting; and
- ▶ provides a repeal date.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2024:

▶ to State Board of Education - Contracted Initiatives and Grants, as a one-time appropriation:

- from Income Tax Fund, \$9,900,000.

Other Special Clauses:

None



26 **Utah Code Sections Affected:**

27 AMENDS:

28 **63I-2-253**, as last amended by Laws of Utah 2022, Chapters 208, 229, 274, 354, 370,
29 and 409

30 ENACTS:

31 **53F-5-220**, Utah Code Annotated 1953



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

34 Section 1. Section **53F-5-220** is enacted to read:

35 **53F-5-220. Management of energy and water use pilot program.**

36 (1) As used in this section:

37 (a) "Energy" means natural gas or electricity.

38 (b) "Great Salt Lake watershed" means the drainage area for the Great Salt Lake, the
39 Bear River watershed, the Jordan River watershed, the Utah Lake watershed, the Weber River
40 watershed, and the West Desert watershed.

41 (c) "Rural school district or charter school" means a school district or charter school
42 that is located within a county of the third, fourth, fifth, or sixth class.

43 (2) (a) On or after May 3, 2023, but before July 1, 2028, the state board may award a
44 grant to a school district or charter school upon recommendation by the review panel created in
45 Subsection (5) to implement a program to reduce the use of energy or water by a school district
46 or charter school.

47 (b) When issuing a grant under this section, the state board shall prioritize outdoor
48 water conservation projects.

49 (c) When issuing a grant under this section during the period beginning on May 3,
50 2023, and ending October 31, 2023, the state board shall prioritize, in the order the state board
51 considers appropriate, a grant:

52 (i) to a rural school district or charter school;

53 (ii) to a school district or charter school that is located within the Great Salt Lake
54 watershed; and

55 (iii) for an outdoor water conservation project.

56 (3) (a) Grant money may be used to pay for any of the following, provided the use is

57 directly related to reducing the use of energy or water by the school district or charter school:

58 (i) computer equipment and peripherals;

59 (ii) software;

60 (iii) upgrades of existing computer equipment or software;

61 (iv) physical equipment used to deliver energy or water;

62 (v) upgrades of existing physical equipment used to deliver energy or water;

63 (vi) personnel to provide technical support or coordination and management;

64 (vii) staff or student management training;

65 (viii) recalibration of equipment for increased efficiency; or

66 (ix) another means of optimizing and measuring energy or water efficiency.

67 (b) Equipment or software purchased in compliance with Subsection (3)(a), when not
68 in use to reduce energy or water, may be used for other purposes.

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

71 (a) establishing procedures for applying for and awarding a grant;

72 (b) establishing eligibility criteria;

73 (c) creating grant distribution thresholds;

74 (d) specifying how grant money is allocated among school districts and charter schools;

75 (e) requiring reporting of grant money expenditures and evidence showing that the
76 grant money has been used to implement reduced use of energy or water; and

77 (f) establishing technology standards.

78 (5) The state board shall establish a review panel to consider grant applications under
79 this section, which shall include in addition to a representative for the state board,
80 representation from the Office of Energy Development, the Department of Environmental
81 Quality, the Division of Water Resources, and private energy providers.

82 (6) If a school district or charter school uses grant money for purposes other than those
83 stated in Subsection (3), the school district or charter school is liable for reimbursing the state
84 board in the amount of the grant money improperly used.

85 (7) The state board may use up to 2% of the money appropriated for the grant program
86 in accordance with this section for administration and evaluation of the grant program before
87 grant distribution.

88 (8) By no later than the 2027 November interim meeting of the following, the state
89 board shall report on the effectiveness of grants issued under this section to the following:

90 (a) Education Interim Committee; and

91 (b) Natural Resources, Agriculture, and Environment Interim Committee.

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

93 **63I-2-253. Repeal dates: Titles 53 through 53G.**

94 (1) (a) Subsection **53B-2a-108(5)**, regarding exceptions to the composition of a
95 technical college board of trustees, is repealed July 1, 2022.

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

99 (2) Section **53B-6-105.7** is repealed July 1, 2024.

100 (3) Section **53B-7-707** regarding performance metrics for technical colleges is repealed
101 July 1, 2023.

102 (4) Section **53B-8-114** is repealed July 1, 2024.

103 (5) The following provisions, regarding the Regents' scholarship program, are repealed
104 on July 1, 2023:

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

107 (b) Section **53B-8-202**;

108 (c) Section **53B-8-203**;

109 (d) Section **53B-8-204**; and

110 (e) Section **53B-8-205**.

111 (6) Section **53B-10-101** is repealed on July 1, 2027.

112 (7) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
113 repealed July 1, 2023.

114 (8) Subsection **53E-1-201(1)(s)** regarding the report by the Educational Interpretation
115 and Translation Services Procurement Advisory Council is repealed July 1, 2024.

116 (9) Section **53E-1-202.2**, regarding a Public Education Appropriations Subcommittee
117 evaluation and recommendations, is repealed January 1, 2024.

118 (10) Subsection **53E-10-309(7)**, related to the PRIME pilot program, is repealed July 1,

119 2024.

120 (11) In Subsections [53F-2-205](#)(4) and (5), regarding the State Board of Education's
121 duties if contributions from the minimum basic tax rate are overestimated or underestimated,
122 the language that states "or [53F-2-301.5](#), as applicable" is repealed July 1, 2023.

123 (12) Section [53F-2-209](#), regarding local education agency budgetary flexibility, is
124 repealed July 1, 2024.

125 (13) Subsection [53F-2-301](#)(1), relating to the years the section is not in effect, is
126 repealed July 1, 2023.

127 (14) Section [53F-2-302.1](#), regarding the Enrollment Growth Contingency Program, is
128 repealed July 1, 2023.

129 (15) Subsection [53F-2-314](#)(4), relating to a one-time expenditure between the at-risk
130 WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.

131 (16) Section [53F-2-524](#), regarding teacher bonuses for extra work assignments, is
132 repealed July 1, 2024.

133 (17) In Subsection [53F-2-515](#)(1), the language that states "or [53F-2-301.5](#), as
134 applicable" is repealed July 1, 2023.

135 (18) Subsection [53F-4-401](#)(3)(b), regarding a child enrolled or eligible for enrollment
136 in kindergarten, is repealed July 1, 2022.

137 (19) In Subsection [53F-4-404](#)(4)(c), the language that states "Except as provided in
138 Subsection (4)(d)" is repealed July 1, 2022.

139 (20) Subsection [53F-4-404](#)(4)(d) is repealed July 1, 2022.

140 (21) Section [53F-5-220](#), regarding a management of energy and water pilot program, is
141 repealed July 1, 2028.

142 [~~(21)~~] (22) In Subsection [53F-9-302](#)(3), the language that states "or [53F-2-301.5](#), as
143 applicable" is repealed July 1, 2023.

144 [~~(22)~~] (23) In Subsection [53F-9-305](#)(3)(a), the language that states "or [53F-2-301.5](#), as
145 applicable" is repealed July 1, 2023.

146 [~~(23)~~] (24) In Subsection [53F-9-306](#)(3)(a), the language that states "or [53F-2-301.5](#), as
147 applicable" is repealed July 1, 2023.

148 [~~(24)~~] (25) In Subsection [53G-3-304](#)(1)(c)(i), the language that states "or [53F-2-301.5](#),
149 as applicable" is repealed July 1, 2023.

150 [~~(25)~~] (26) On July 1, 2023, when making changes in this section, the Office of
151 Legislative Research and General Counsel shall, in addition to the office's authority under
152 Subsection [36-12-12\(3\)](#), make corrections necessary to ensure that sections and subsections
153 identified in this section are complete sentences and accurately reflect the office's perception of
154 the Legislature's intent.

155 Section 3. **Appropriation.**

156 The following sums of money are appropriated for the fiscal year beginning July 1,
157 2023, and ending June 30, 2024. These are additions to amounts previously appropriated for
158 fiscal year 2024. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
159 Act, the Legislature appropriates the following sums of money from the funds or accounts
160 indicated for the use and support of the government of the state of Utah.

161 ITEM 1

162 To State Board of Education -- Contracted Initiatives and Grants

163 From Income Tax Fund, One-time \$9,900,000

164 Schedule of Programs:

165 Contracts and Grants \$9,900,000

166 The Legislature intends that:

167 (1) the appropriations under this item be used for the grant program under Section

168 [53F-5-220](#); and

169 (2) the appropriations under this item not lapse and the use of any nonlapsing funds is

170 limited to the purpose described in Subsection (1) of this item.