

HB0217S01 compared with HB0217

~~deleted text~~ shows text that was in HB0217 but was deleted in HB0217S01.

inserted text shows text that was not in HB0217 but was inserted into HB0217S01.

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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: _____

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:

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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

Utah Code Sections Affected:

AMENDS:

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

ENACTS:

53F-5-220, Utah Code Annotated 1953

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

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

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

(1) As used in this section:

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

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

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

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

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

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

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considers appropriate, a grant:

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

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

(iii) for an outdoor water conservation project.

(3) (a) Grant money may be used to pay for any of the following, provided the use is directly related to reducing the use of energy or water by the school district or charter school:

(i) computer equipment and peripherals;

(ii) software;

(iii) upgrades of existing computer equipment or software;

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

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

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

(vii) staff or student management training; ~~or~~

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

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

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

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

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

(b) establishing eligibility criteria;

(c) creating grant distribution thresholds;

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

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

(f) establishing technology standards.

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

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

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

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

(a) Education Interim Committee; and

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

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

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

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

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

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

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

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

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

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

(b) Section 53B-8-202;

(c) Section 53B-8-203;

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

(e) Section 53B-8-205.

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

(7) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is

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repealed July 1, 2023.

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

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

(10) Subsection 53E-10-309(7), related to the PRIME pilot program, is repealed July 1, 2024.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 3. **Appropriation.**

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

ITEM 1

~~{~~ To State Board of Education -- Contracted Initiatives and Grants

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

~~{~~ Schedule of Programs:

~~{~~ Contracts and Grants

\$9,900,000

The Legislature intends that:

(1) the appropriations under this item be used for the grant program under Section 53F-5-220; and

(2) the appropriations under this item not lapse and the use of any nonlapsing funds is limited to the purpose described in Subsection (1) of this item.