

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:

None

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,



26 and 409

27 ENACTS:

28 **53F-5-220**, Utah Code Annotated 1953

29

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

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

32 **53F-5-220. Management of energy and water use pilot program.**

33 (1) As used in this section:

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

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

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

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

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

46 (c) When issuing a grant under this section during the period beginning on May 3,
47 2023, and ending October 31, 2023, the state board shall prioritize, in the order the state board
48 considers appropriate, a grant:

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

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

52 (iii) for an outdoor water conservation project.

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

55 (i) computer equipment and peripherals;

56 (ii) software;

- 57 (iii) upgrades of existing computer equipment or software;
- 58 (iv) physical equipment used to deliver energy or water;
- 59 (v) upgrades of existing physical equipment used to deliver energy or water;
- 60 (vi) personnel to provide technical support or coordination and management;
- 61 (vii) staff or student management training;
- 62 (viii) recalibration of equipment for increased efficiency; or
- 63 (ix) another means of optimizing and measuring energy or water efficiency.

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

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

- 68 (a) establishing procedures for applying for and awarding a grant;
- 69 (b) establishing eligibility criteria;
- 70 (c) creating grant distribution thresholds;
- 71 (d) specifying how grant money is allocated among school districts and charter schools;
- 72 (e) requiring reporting of grant money expenditures and evidence showing that the
73 grant money has been used to implement reduced use of energy or water; and
- 74 (f) establishing technology standards.

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

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

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

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

- 87 (a) Education Interim Committee; and

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

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

90 **63I-2-253. Repeal dates: Titles 53 through 53G.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

115 (10) Subsection **53E-10-309(7)**, related to the PRIME pilot program, is repealed July 1,
116 2024.

117 (11) In Subsections **53F-2-205(4)** and (5), regarding the State Board of Education's
118 duties if contributions from the minimum basic tax rate are overestimated or underestimated,

119 the language that states "or [53F-2-301.5](#), as applicable" is repealed July 1, 2023.

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

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

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

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

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

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

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

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

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

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

139 [~~(21)~~] (22) In Subsection [53F-9-302\(3\)](#), the language that states "or [53F-2-301.5](#), as
140 applicable" is repealed July 1, 2023.

141 [~~(22)~~] (23) In Subsection [53F-9-305\(3\)\(a\)](#), the language that states "or [53F-2-301.5](#), as
142 applicable" is repealed July 1, 2023.

143 [~~(23)~~] (24) In Subsection [53F-9-306\(3\)\(a\)](#), the language that states "or [53F-2-301.5](#), as
144 applicable" is repealed July 1, 2023.

145 [~~(24)~~] (25) In Subsection [53G-3-304\(1\)\(c\)\(i\)](#), the language that states "or [53F-2-301.5](#),
146 as applicable" is repealed July 1, 2023.

147 [~~(25)~~] (26) On July 1, 2023, when making changes in this section, the Office of
148 Legislative Research and General Counsel shall, in addition to the office's authority under
149 Subsection [36-12-12\(3\)](#), make corrections necessary to ensure that sections and subsections

150 identified in this section are complete sentences and accurately reflect the office's perception of
151 the Legislature's intent.