

1           **HOLD HARMLESS FOR PUBLIC EDUCATION ENROLLMENT**

2                           **DECLINE**

3                                   2023 GENERAL SESSION

4                                   STATE OF UTAH

5                           **Chief Sponsor: Karen M. Peterson**

6                                   Senate Sponsor: Ann Millner

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8   **LONG TITLE**

9   **General Description:**

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

12 **Highlighted Provisions:**

13           This bill:

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

19 **Money Appropriated in this Bill:**

20           None

21 **Other Special Clauses:**

22           This bill provides a special effective date.

23 **Utah Code Sections Affected:**

24 AMENDS:

25           **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

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\(3\)\(b\)\[7\]](#);

46 (i) enrollment growth and inflation estimates[7]; and

47 (ii) to increase the value of the weighted pupil unit, as defined in Section [53F-2-102](#), an  
48 amount equal to a projected reduction in appropriations to the Minimum School Program from  
49 the Uniform School Fund for the given fiscal year related to a decline in student enrollment  
50 that the Office of the Legislative Fiscal Analyst recommends to the Executive Appropriations  
51 Committee, in consultation with the state board and the Governor's Office of Planning and  
52 Budget:

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

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

56 (3) The total annual amount deposited into the Uniform School Fund, including the  
57 deposits through the distributions described in Sections 59-7-532 and 59-10-544, for a given  
58 fiscal year may not exceed the amount appropriated from the Uniform School Fund for that  
59 fiscal year.

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

61 **63I-1-253. Repeal dates: Titles 53 through 53G.**

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

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

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

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

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

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

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

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

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

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

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

82 (a) in Subsection 53E-4-202(8), the language "by a standards review committee and the

83 recommendations of a standards review committee established under Section 53E-4-203" is  
84 repealed; and

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

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

88 (13) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is  
89 repealed July 1, 2023.

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

92 (15) Section 53F-5-203 is repealed July 1, 2024.

93 (16) Section 53F-5-213 is repealed July 1, 2023.

94 (17) Section 53F-5-214, in relation to a grant for professional learning, is repealed July  
95 1, 2025.

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

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

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

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

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

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

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

110            [~~(23)~~] (24) Section 53G-9-212, Drinking water quality in schools, is repealed July 1,  
111 2027.

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

114            Section 3. **Effective date.**

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