

Representative Douglas R. Welton proposes the following substitute bill:

EDUCATION INNOVATION PROGRAM

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Douglas R. Welton

Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This bill enacts provisions relating to an innovation program for public education.

Highlighted Provisions:

This bill:

- ▶ establishes a process for submitting an application and receiving LEA governing board approval for an innovation program;
 - ▶ provides for the features of an innovation program, including alternative curriculum and alternative class schedule;
 - ▶ specifies requirements for an innovation program application, including parental consent for student participation;
 - ▶ provides a process for LEA governing board approval of an innovation program application;
 - ▶ allows for a grant for additional costs related to an innovation program;
 - ▶ provides for a review and assessment of the performance of an innovation program;
- and
- ▶ provides for the repeal of innovation program provisions.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2023:



26 • to the State Board of Education -- Contracted Initiatives and Grants, from the
27 Education Fund, one-time, \$2,500,000.

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **53E-10-703**, as last amended by Laws of Utah 2020, Chapter 408

33 **63I-1-253**, as last amended by Laws of Utah 2021, Chapters 14, 64, 106, 233, and 307

34 **63I-1-263**, as last amended by Laws of Utah 2021, Chapters 70, 72, 84, 90, 171, 196,

35 260, 280, 282, 345, 382, 401, 421 and last amended by Coordination Clause, Laws

36 of Utah 2021, Chapter 382

37 **63J-1-602.2**, as last amended by Laws of Utah 2021, Chapters 179, 344, 412, 421, and

38 424

39 ENACTS:

40 **53G-10-601**, Utah Code Annotated 1953

41 **53G-10-602**, Utah Code Annotated 1953

42 **53G-10-603**, Utah Code Annotated 1953

43 **53G-10-604**, Utah Code Annotated 1953

44 **53G-10-605**, Utah Code Annotated 1953

45 **53G-10-606**, Utah Code Annotated 1953

46 **53G-10-607**, Utah Code Annotated 1953

47 **53G-10-608**, Utah Code Annotated 1953



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

50 Section 1. Section **53E-10-703** is amended to read:

51 **53E-10-703. ULEAD director -- Qualification and employment -- Duties --**

52 **Reporting -- Annual conference.**

53 (1) The ULEAD director shall:

54 (a) (i) hold a doctorate degree in education or an equivalent degree; and

55 (ii) have demonstrated experience in research and dissemination of best practices in

56 education; and

- 57 (b) (i) be a full-time employee; and
58 (ii) report to the state superintendent.
59 (2) The state superintendent shall:
60 (a) evaluate the director's performance annually;
61 (b) report on the director's performance to the selection committee; and
62 (c) provide space for the director and the director's staff.
63 (3) The director may hire staff, using only money specifically appropriated to ULEAD.
64 (4) The director shall perform the following duties and functions:
65 (a) gather current research on innovative and effective practices in K-12 education for
66 use by policymakers and practitioners;
67 (b) facilitate collaboration between LEAs, higher education researchers, and
68 practitioners by:
69 (i) sharing innovative and effective practices shown to improve student learning;
70 (ii) identifying experts in specific areas of practice; and
71 (iii) maintaining a research clearinghouse and directory of researchers; and
72 (c) analyze barriers to replication or adaption of innovative and successful practices
73 studied by ULEAD or contributed to the ULEAD research clearinghouse.
74 (5) The director shall:
75 (a) prioritize reports and other research based on recommendations of the steering
76 committee in accordance with Subsection 53E-10-707(5), and after consulting with individuals
77 described in Subsection 53E-10-707(6);
78 (b) identify Utah LEAs, or schools outside the public school system, that are:
79 (i) innovative in specific areas of practice; and
80 (ii) more effective or efficient than comparable LEAs in improving student learning;
81 (c) establish criteria for innovative practice reports to be performed by participating
82 institutions and included in the research clearinghouse, including report templates;
83 (d) arrange with participating institutions to generate innovative practice reports on
84 effective and innovative K-12 education practices; and
85 (e) (i) disseminate each innovative practice report to LEAs; and
86 (ii) publish innovative practice reports on the ULEAD website.
87 (6) In an innovative practice report, a participating institution shall:

88 (a) include or reference a review of research regarding the practice in which the subject
89 LEA has demonstrated success;

90 (b) identify through academically acceptable, evidence-based research methods the
91 causes of the LEA's successful practice;

92 (c) identify opportunities for LEAs to adopt or customize innovative or best practices;

93 (d) address limitations to successful replication or adaptation of the successful practice
94 by other LEAs, which may include barriers arising from federal or state law, state or LEA
95 policy, socioeconomic conditions, or funding limitations;

96 (e) include practical templates for successful replication and adaptation of successful
97 practices, following criteria established by the director;

98 (f) identify experts in the successful practice that is the subject of the innovative
99 practice report, including teachers or administrators at the subject LEA; and

100 (g) include:

101 (i) an executive summary describing the innovative practice report; and

102 (ii) a video component or other elements designed to ensure that an innovative practice
103 report is readily understandable by practitioners.

104 (7) (a) The director may, if requested by an LEA leader or policymaker, conduct an
105 evidence-based review of a possible innovation in an area of practice.

106 (b) The director shall:

107 (i) review the performance of an innovation program, as defined in Section
108 53G-10-601, to determine the extent to which the learning and performance of students in an
109 opportunity class, as defined in Section 53G-10-601, met the criteria established in the
110 innovation program; and

111 (ii) report on the director's findings under Subsection (7)(b)(i):

112 (A) to the LEA governing board that approved the innovation program; and

113 (B) within $\hat{S} \rightarrow [30]$ $120 \leftarrow \hat{S}$ days after the completion of the school year during which the
113a opportunity
114 class was functioning.

115 (8) The director may also accept innovative practice reports from trained practitioners
116 that meet the criteria set by the director.

117 (9) The director or a participating institution, to enable successful replication or
118 adaption of successful practices, may recommend to:

- 119 (a) the Legislature, amendments to state law; or
- 120 (b) the state board, revisions to state board rule, made in accordance with Title 63G,
- 121 Chapter 3, Utah Administrative Rulemaking Act, or policy.

122 (10) The director shall:

- 123 (a) report on the activities of ULEAD annually to the state board; and
- 124 (b) provide reports or other information to the state board upon state board request.

125 (11) The director shall:

- 126 (a) prepare an annual report on ULEAD research and other activities;
- 127 (b) submit the report in accordance with Section 53E-1-201 and 53E-1-202;
- 128 (c) publish the annual report on the ULEAD website; and
- 129 (d) disseminate the report to LEAs through electronic channels.

130 (12) The director shall facilitate and conduct an annual conference on successful and
131 innovative K-12 education practices, featuring:

- 132 (a) Utah education leaders; and
- 133 (b) practitioners and researchers, chosen by the director, to discuss the subjects of LEA
134 and other ULEAD activities, or other innovative and successful education practices.

135 Section 2. Section 53G-10-601 is enacted to read:

136 **Part 6. Education Innovation Program**

137 **53G-10-601. Definitions.**

138 As used in this part:

139 (1) "Alternative classroom schedule" means a classroom schedule that is different than
140 the schedule followed by other classrooms in the applicable school or LEA.

141 (2) "Alternative curriculum" means curriculum in one or more subject areas that is
142 based on standards that are different than the standards:

- 143 (a) adopted by the state board; and
- 144 (b) applicable to the regular curriculum offered in the subject area or areas in the
145 applicable school or LEA.

146 (3) "Applicable school or LEA" means the school or LEA in which an innovation
147 program is proposed or implemented.

148 (4) "Innovation grant" means a grant of money under Section 53G-10-608 to pay for
149 some or all innovation program costs.

150 (5) "Innovation program" means a program establishing an alternative classroom
151 schedule or an alternative curriculum, or both.

152 (6) "Innovation program application" means an application:

153 (a) proposing the implementation of an innovation program; and

154 (b) submitted under Section 53G-10-603 to the LEA governing board for the LEA in
155 which the innovation program is proposed.

156 (7) "Innovation program costs" means costs occasioned by an innovation program that
157 exceed costs of a class that is not subject to an innovation program.

158 (8) "K-12" means kindergarten through grade 12.

159 (9) "Opportunity class" means a school class within the public education system that
160 implements an innovation program.

161 (10) "Participating student" means a K-12 student who participates in an opportunity
162 class under an approved innovation program.

163 Section 3. Section 53G-10-602 is enacted to read:

164 **53G-10-602. Establishment of innovation program -- LEA governing board**
165 **approval -- Parental consent required.**

166 (1) An innovation program may be established for a K-12 class as provided in this part
167 if the innovation program is approved by the LEA governing board for the LEA in which the
168 proposed innovation program is to be implemented.

169 (2) A public school teacher may submit an innovation program application to the LEA
170 governing board for the LEA of the class or school in which the teacher proposes to implement
171 an innovation program.

172 (3) Before submitting an innovation program application, the public school teacher
173 intending to submit the innovation program application shall obtain the written consent
174 described in Section 53G-10-603 signed by parents of at least 20 prospective participating
175 students.

176 (4) An innovation program application shall be submitted no less than 90 days before
177 the beginning of student registration for the school year for which the innovation program is
178 proposed.

179 (5) (a) An LEA governing board shall approve or deny an innovation program
180 application within 60 days after the application is submitted.

181 (b) An LEA governing board may approve an innovation program application subject
182 to modifications or additional terms that the LEA governing board determines appropriate.

183 (6) An innovation program may be renewed for another school year if:

184 (a) the teacher in the opportunity class requests renewal;

185 (b) the teacher submits with the renewal request the written consent described in
186 Section 53G-10-603 signed by parents of at least 20 prospective participating students; and

187 (c) the LEA governing board approves the renewal.

188 Section 4. Section 53G-10-603 is enacted to read:

189 **53G-10-603. Parental consent for student participating in opportunity class.**

190 (1) A parent of a K-12 student may give the parent's consent for the student to
191 participate in an opportunity class by submitting the parent's written and signed consent, as
192 described in Subsection (2), to the public school teacher who proposes to submit an innovation
193 program application.

194 (2) (a) A public school teacher who intends to submit an innovation program
195 application shall provide a consent form to a parent of a prospective participating student.

196 (b) A form by which a parent consents to the enrollment of the parent's child in an
197 opportunity class shall contain:

198 (i) the name and a summary of the credentials of each teacher and other staff member
199 who will be teaching or working in the opportunity class;

200 (ii) an explanation that the opportunity class is experimental in nature and may not
201 receive approval to continue beyond the school year for which the innovation program is
202 approved;

203 (iii) a description of the alternative curriculum and alternative classroom schedule, as
204 applicable, that the innovation program application intends to seek approval for;

205 (iv) a description of how, when, and where the opportunity class instruction will take
206 place and whether the instruction will include in-person, virtual, or hybrid components;

207 (v) if the innovation application intends to include a proposed alternative curriculum, a
208 description of:

209 (A) the alternative curriculum and the instructional materials to be used in the
210 opportunity class; and

211 (B) the outcomes the opportunity class using the alternative curriculum is designed to

212 achieve; and

213 (vi) a statement accompanying the parent's signature indicating that the parent has read
214 the explanation of the opportunity class contained in the consent form and understands the
215 experimental nature of the opportunity class.

216 Section 5. Section **53G-10-604** is enacted to read:

217 **53G-10-604. Innovation program application -- Requirements.**

218 (1) An innovation program application shall include:

219 (a) the name and a summary of the credentials of each teacher and other staff member
220 who will be teaching or working in the opportunity class;

221 (b) the name of each student whose parent has submitted a consent form consenting to
222 the student becoming a participating student;

223 (c) a description of the alternative curriculum and alternative classroom schedule, as
224 applicable, that the innovation program application seeks approval for;

225 (d) a description of how, when, and where the opportunity class instruction will take
226 place and whether the instruction will include in-person, virtual, or hybrid components;

227 (e) any other innovative curriculum or classroom schedule adjustments intended to be
228 incorporated into the opportunity class to enhance the learning, performance, and educational
229 experience of participating students;

230 (f) criteria for measuring student learning and performance;

231 (g) an explanation of the assessment of the innovation program as provided in Section
232 [53G-10-607](#);

233 (h) if the innovation application includes a proposed alternative curriculum, a
234 description of:

235 (i) the alternative curriculum and the instructional materials to be used in the
236 opportunity class; and

237 (ii) the outcomes the opportunity class using the alternative curriculum is designed to
238 achieve;

239 (i) any additional funding needed to cover innovation program costs; and

240 (j) participating students' proposed access to or use of the transportation services,
241 playground facilities, cafeteria facilities, after-school or extra-curricular activities, special
242 education services, and other facilities, activities, or services normally provided by the

243 applicable school or LEA.

244 (2) An innovation program application that proposes an alternative curriculum may
245 include a proposal for a different curriculum or an innovative delivery of curriculum.

246 (3) An innovation program application that proposes an alternative classroom schedule
247 may include a proposal for a different classroom schedule that includes options for:

248 (a) different requirements for in-person, virtual, or hybrid instruction; and

249 (b) different provisions for length of student attendance at in-person, virtual, or hybrid
250 instruction.

251 (4) An innovation program application may include a request for an innovation grant.

252 Section 6. Section **53G-10-605** is enacted to read:

253 **53G-10-605. Alternative curriculum and alternative classroom schedule**
254 **provisions.**

255 (1) An alternative curriculum in an elementary school shall include English,
256 mathematics, science, or history and social science.

257 (2) If requested in an innovation program application that the LEA governing board
258 approves, a school in which an opportunity class is proposed to be located shall provide the
259 opportunity class with a classroom and other equipment and facilities normally provided to a
260 class within the school.

261 (3) A teacher in an opportunity class may make adjustments to the curriculum or
262 classroom schedule described in the approved innovation program as implementation of the
263 innovation program reveals the need or advisability of making adjustments to better meet the
264 needs of students or to better achieve the goals and objectives of the innovation program.

265 (4) A student may become a participating student in an opportunity class after the
266 beginning of a school year during a standard class change period if:

267 (a) the innovation program allows the addition of a participating student during the
268 school year;

269 (b) the student's parent consents as provided in Section [53G-10-603](#); and

270 (c) the teacher of the opportunity class consents.

271 Section 7. Section **53G-10-606** is enacted to read:

272 **53G-10-606. Provisions applicable to participating students, staff in an**
273 **opportunity class, innovation programs, and LEAs.**

274 (1) A participating student may use a transportation service offered to students who are
275 not participating students if:

276 (a) the participating student uses the transportation service on the same basis and at the
277 same times as the transportation service is offered to students who are not participating
278 students; or

279 (b) the innovation program provides for:

280 (i) the participating student's use of the transportation service; and

281 (ii) payment of the additional cost of the transportation service attributable to the
282 participating student's use of the transportation service.

283 (2) A participating student:

284 (a) shall be enrolled in the LEA where the opportunity class is operating; and

285 (b) is counted as any other student who is not a participating student for purposes of
286 calculating educational funding apportioned to the LEA.

287 (3) (a) A participating student is subject to a state assessment, as defined in Section
288 53E-4-301, to the same extent as a student who is not a participating student.

289 (b) The results of state assessment taken by participating students may not be included
290 in assessment results for the school or LEA unless the test results are required to be included in
291 the school or LEA assessment results by:

292 (i) the approved innovation program; or

293 (ii) applicable law.

294 (4) A teacher or other staff member who teaches or works in an opportunity class:

295 (a) is an employee of the LEA where the opportunity class is located; and

296 (b) shall receive compensation and other benefits available generally to an individual
297 employed in a comparable position in the LEA.

298 (5) An opportunity class shall comply with:

299 (a) provisions of the approved innovation program; and

300 (b) all applicable federal, state, and local laws prohibiting discrimination or governing
301 the safety of students and teachers.

302 (6) An LEA:

303 (a) shall apportion education funds for instructional use of participating students in an
304 amount substantially similar to funds apportioned for instructional use of comparable students

305 who are not participating students; and

306 (b) is responsible to provide to participating students only the services described in the
307 approved innovation program.

308 Section 8. Section **53G-10-607** is enacted to read:

309 **53G-10-607. Assessment of innovation program.**

310 A teacher in an opportunity class shall:

311 (1) monitor the extent to which participating student learning and performance are
312 consistent with the criteria established in the innovation program;

313 (2) report the results under Subsection (1) to the LEA governing board, as provided in
314 the approved innovation program; and

315 (3) cooperate with and provide participating student learning and performance data to
316 the director of ULEAD, as defined in Section [53E-10-701](#), as the director performs the
317 director's duties under Subsection [53E-10-703\(7\)\(b\)](#).

318 Section 9. Section **53G-10-608** is enacted to read:

319 **53G-10-608. Innovation grants.**

320 (1) An LEA governing board may approve a grant of up to \$5,000 per opportunity class
321 for the school year if:

322 (a) a request for an innovation grant is included in the innovation application; and

323 (b) the LEA governing board determines that the grant is needed to:

324 (i) cover innovation program costs; and

325 (ii) help fulfill the goals and purposes of the opportunity class.

326 (2) If an LEA governing board approves a request for an innovation grant, the LEA
327 governing board shall send the state board written notice of the approval and the name of the
328 teacher who submitted the request for the innovation grant.

329 (3) (a) (i) Upon receipt of the written notice and authorization under Subsection (2), the
330 state board shall, subject to Subsection (3)(b), disburse the amount of the approved innovation
331 grant to the LEA governing board.

332 (ii) The LEA governing board shall distribute the money to the teacher of the
333 opportunity class to cover innovation program costs.

334 (b) (i) Except as provided in Subsection (3)(b)(iii), the maximum amount of money
335 that the state board may distribute for approved innovation grants is \$500,000 per school year.

336 (ii) If the state board receives a written notice and authorization under Subsection (2)
337 after already distributing \$500,000 for the school year, the state board shall notify the LEA
338 governing board that the grant money has been expended for the school year and that the state
339 board cannot distribute money for the approved innovation grant.

340 (iii) If the state board distributes less than \$500,000 for approved innovation grants for
341 a school year, the difference between \$500,000 and the amount distributed shall be rolled over
342 and included in the money available for distribution for approved innovation grants for the
343 following school year.

344 (4) The state board shall keep and account for all money appropriated for innovation
345 grants separate from other state board funds.

346 (5) A teacher receiving an innovation grant under this section may not use the money
347 from the grant for any purpose other than for innovation program costs.

348 (6) Any innovation grant money appropriated to the state board by the Legislature that
349 the state board has not distributed as provided in this section by June 30, 2027 shall lapse to the
350 Education Fund.

351 Section 10. Section **63I-1-253** is amended to read:

352 **63I-1-253. Repeal dates, Titles 53 through 53G.**

353 (1) Section **53-2a-105**, which creates the Emergency Management Administration
354 Council, is repealed July 1, 2022.

355 (2) Sections **53-2a-1103** and **53-2a-1104**, which create the Search and Rescue Advisory
356 Board, are repealed July 1, 2022.

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

359 (4) Subsection **53-6-203(1)(b)(ii)**, regarding being 19 years old at certification, is
360 repealed July 1, 2027.

361 (5) Subsection **53-13-104(6)(a)**, regarding being 19 years old at certification, is
362 repealed July 1, 2027.

363 (6) Section **53B-6-105.5**, which creates the Technology Initiative Advisory Board, is
364 repealed July 1, 2024.

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

366 (8) Section **53B-17-1203**, which creates the SafeUT and School Safety Commission, is

367 repealed January 1, 2025.

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

369 (10) Title 53B, Chapter 24, Part 4, Rural Residency Training Program, is repealed July
370 1, 2025.

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

374 (12) Section 53E-3-515 is repealed January 1, 2023.

375 (13) In relation to a standards review committee, on January 1, 2023:

376 (a) in Subsection 53E-4-202(8), the language "by a standards review committee and the
377 recommendations of a standards review committee established under Section 53E-4-203" is
378 repealed; and

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

380 (14) Subsections 53E-3-503(5) and (6), which create coordinating councils for youth in
381 custody, are repealed July 1, 2027.

382 (15) Section 53E-4-402, which creates the State Instructional Materials Commission, is
383 repealed July 1, 2022.

384 (16) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is
385 repealed July 1, 2023.

386 (17) Subsection 53E-8-204(4), which creates the advisory council for the Utah Schools
387 for the Deaf and the Blind, is repealed July 1, 2021.

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

390 (19) Section 53F-5-203 is repealed July 1, 2024.

391 (20) Section 53F-5-212 is repealed July 1, 2024.

392 (21) Section 53F-5-213 is repealed July 1, 2023.

393 (22) Section 53F-5-214, in relation to a grant for professional learning, is repealed July
394 1, 2025.

395 (23) Section 53F-5-215, in relation to an elementary teacher preparation grant, is
396 repealed July 1, 2025.

397 (24) Subsection 53F-9-203(7), which creates the Charter School Revolving Account

398 Committee, is repealed July 1, 2024.

399 (25) Section 53F-9-501 is repealed January 1, 2023.

400 (26) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety
401 Commission, are repealed January 1, 2025.

402 (27) Subsection 53G-8-211(5), regarding referrals of a minor to court for a class C
403 misdemeanor, is repealed July 1, 2022.

404 (28) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed July 1,
405 2027.

406 Section 11. Section 63I-1-263 is amended to read:

407 **63I-1-263. Repeal dates, Titles 63A to 63N.**

408 (1) In relation to the Utah Transparency Advisory Board, on January 1, 2025:

409 (a) Section 63A-16-102 is repealed;

410 (b) Section 63A-16-201 is repealed; and

411 (c) Section 63A-16-202 is repealed.

412 (2) Subsection 63A-5b-405(5), relating to prioritizing and allocating capital
413 improvement funding, is repealed July 1, 2024.

414 (3) Section 63A-5b-1003, State Facility Energy Efficiency Fund, is repealed July 1,
415 2023.

416 (4) Sections 63A-9-301 and 63A-9-302, related to the Motor Vehicle Review
417 Committee, are repealed July 1, 2023.

418 (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July
419 1, 2028.

420 (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
421 2025.

422 (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,
423 2024.

424 (8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is
425 repealed July 1, 2023.

426 (9) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed
427 July 1, 2023.

428 (10) Title 63C, Chapter 23, Education and Mental Health Coordinating Council, is

429 repealed July 1, 2026.

430 (11) Title 63A, Chapter 16, Part 7, Data Security Management Council, is repealed
431 July 1, 2025.

432 (12) Section 63G-6a-805, which creates the Purchasing from Persons with Disabilities
433 Advisory Board, is repealed July 1, 2026.

434 (13) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,
435 2025.

436 (14) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,
437 2024.

438 (15) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.

439 (16) Subsection 63J-1-602.1(17), Nurse Home Visiting Restricted Account is repealed
440 July 1, 2026.

441 (17) (a) Subsection 63J-1-602.1(61), relating to the Utah Statewide Radio System
442 Restricted Account, is repealed July 1, 2022.

443 (b) When repealing Subsection 63J-1-602.1(61), the Office of Legislative Research and
444 General Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make
445 necessary changes to subsection numbering and cross references.

446 (18) Subsection 63J-1-602.2(5), referring to dedicated credits to the Utah Marriage
447 Commission, is repealed July 1, 2023.

448 (19) Subsection 63J-1-602.2(6), referring to the Trip Reduction Program, is repealed
449 July 1, 2022.

450 (20) Subsection 63J-1-602.2[~~(24)~~](25), related to the Utah Seismic Safety
451 Commission, is repealed January 1, 2025.

452 (21) Title 63J, Chapter 4, Part 5, Resource Development Coordinating Committee, is
453 repealed July 1, 2027.

454 (22) In relation to the advisory committee created in Subsection 63L-11-305(3), on July
455 1, 2022:

456 (a) Subsection 63L-11-305(1)(a), which defines "advisory committee," is repealed; and

457 (b) Subsection 63L-11-305(3), which creates the advisory committee, is repealed.

458 (23) In relation to the Utah Substance Use and Mental Health Advisory Council, on
459 January 1, 2023:

- 460 (a) Sections 63M-7-301, 63M-7-302, 63M-7-303, 63M-7-304, and 63M-7-306 are
461 repealed;
- 462 (b) Section 63M-7-305, the language that states "council" is replaced with
463 "commission";
- 464 (c) Subsection 63M-7-305(1) is repealed and replaced with:
465 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and
466 (d) Subsection 63M-7-305(2) is repealed and replaced with:
467 "(2) The commission shall:
468 (a) provide ongoing oversight of the implementation, functions, and evaluation of the
469 Drug-Related Offenses Reform Act; and
470 (b) coordinate the implementation of Section 77-18-104 and related provisions in
471 Subsections 77-18-103(2)(c) and (d).".
- 472 (24) The Crime Victim Reparations and Assistance Board, created in Section
473 63M-7-504, is repealed July 1, 2027.
- 474 (25) Title 63M, Chapter 7, Part 6, Utah Council on Victims of Crime, is repealed July
475 1, 2022.
- 476 (26) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2026.
- 477 (27) Title 63N, Chapter 1, Part 5, Governor's Economic Development Coordinating
478 Council, is repealed July 1, 2024.
- 479 (28) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.
- 480 (29) Section 63N-2-512, related to the Hotel Impact Mitigation Fund, is repealed July
481 1, 2028.
- 482 (30) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed
483 January 1, 2021.
- 484 (b) Section 59-9-107 regarding tax credits against premium taxes is repealed for
485 calendar years beginning on or after January 1, 2021.
- 486 (c) Notwithstanding Subsection(30)(b), an entity may carry forward a tax credit in
487 accordance with Section 59-9-107 if:
488 (i) the person is entitled to a tax credit under Section 59-9-107 on or before December
489 31, 2020; and
490 (ii) the qualified equity investment that is the basis of the tax credit is certified under

491 Section [63N-2-603](#) on or before December 31, 2023.

492 (31) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is repealed
493 July 1, 2023.

494 (32) Title 63N, Chapter 7, Part 1, Board of Tourism Development, is repealed July 1,
495 2025.

496 (33) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant Program,
497 is repealed January 1, 2028.

498 Section 12. Section **63J-1-602.2** is amended to read:

499 **63J-1-602.2. List of nonlapsing appropriations to programs.**

500 Appropriations made to the following programs are nonlapsing:

501 (1) The Legislature and the Legislature's committees.

502 (2) The State Board of Education, including all appropriations to agencies, line items,
503 and programs under the jurisdiction of the State Board of Education, in accordance with
504 Section [53F-9-103](#).

505 (3) The Percent-for-Art Program created in Section [9-6-404](#).

506 (4) The LeRay McAllister Critical Land Conservation Program created in Section
507 [11-38-301](#).

508 (5) Dedicated credits accrued to the Utah Marriage Commission as provided under
509 Subsection [17-16-21\(2\)\(d\)\(ii\)](#).

510 (6) The Trip Reduction Program created in Section [19-2a-104](#).

511 (7) The Division of Wildlife Resources for the appraisal and purchase of lands under
512 the Pelican Management Act, as provided in Section [23-21a-6](#).

513 (8) The emergency medical services grant program in Section [26-8a-207](#).

514 (9) The primary care grant program created in Section [26-10b-102](#).

515 (10) Sanctions collected as dedicated credits from Medicaid provider under Subsection
516 [26-18-3\(7\)](#).

517 (11) The Utah Health Care Workforce Financial Assistance Program created in Section
518 [26-46-102](#).

519 (12) The Rural Physician Loan Repayment Program created in Section [26-46a-103](#).

520 (13) The Opiate Overdose Outreach Pilot Program created in Section [26-55-107](#).

521 (14) Funds that the Department of Alcoholic Beverage Control retains in accordance

522 with Subsection [32B-2-301](#) (9)(a) or (b).

523 (15) The General Assistance program administered by the Department of Workforce
524 Services, as provided in Section [35A-3-401](#).

525 (16) The Utah National Guard, created in Title 39, Militia and Armories.

526 (17) The State Tax Commission under Section [41-1a-1201](#) for the:

527 (a) purchase and distribution of license plates and decals; and

528 (b) administration and enforcement of motor vehicle registration requirements.

529 (18) The Search and Rescue Financial Assistance Program, as provided in Section
530 [53-2a-1102](#).

531 (19) The Motorcycle Rider Education Program, as provided in Section [53-3-905](#).

532 (20) The Utah Board of Higher Education for teacher preparation programs, as
533 provided in Section [53B-6-104](#).

534 (21) The Medical Education Program administered by the Medical Education Council,
535 as provided in Section [53B-24-202](#).

536 (22) Innovation grants under Section [53G-10-608](#), except as provided in Subsection
537 [53G-10-608](#)(6).

538 [~~22~~] (23) The Division of Services for People with Disabilities, as provided in
539 Section [62A-5-102](#).

540 [~~23~~] (24) The Division of Fleet Operations for the purpose of upgrading underground
541 storage tanks under Section [63A-9-401](#).

542 [~~24~~] (25) The Utah Seismic Safety Commission, as provided in Section [63C-6-104](#).

543 [~~25~~] (26) Appropriations to the Division of Technology Services for technology
544 innovation as provided under Section [63A-16-903](#).

545 [~~26~~] (27) The Office of Administrative Rules for publishing, as provided in Section
546 [63G-3-402](#).

547 [~~27~~] (28) The Colorado River Authority of Utah, created in Title 63M, Chapter 14,
548 Colorado River Authority of Utah Act.

549 [~~28~~] (29) The Governor's Office of Economic Opportunity to fund the Enterprise
550 Zone Act, as provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.

551 [~~29~~] (30) Appropriations to fund the Governor's Office of Economic Opportunity's
552 Rural Employment Expansion Program, as described in Title 63N, Chapter 4, Part 4, Rural

553 Employment Expansion Program.

554 ~~[(30)]~~ (31) Appropriations to fund programs for the Jordan River Recreation Area as
555 described in Section 65A-2-8.

556 ~~[(31)]~~ (32) The Division of Human Resource Management user training program, as
557 provided in Section 63A-17-106.

558 ~~[(32)]~~ (33) A public safety answering point's emergency telecommunications service
559 fund, as provided in Section 69-2-301.

560 ~~[(33)]~~ (34) The Traffic Noise Abatement Program created in Section 72-6-112.

561 ~~[(34)]~~ (35) The money appropriated from the Navajo Water Rights Negotiation
562 Account to the Division of Water Rights, created in Section 73-2-1.1, for purposes of
563 participating in a settlement of federal reserved water right claims.

564 ~~[(35)]~~ (36) The Judicial Council for compensation for special prosecutors, as provided
565 in Section 77-10a-19.

566 ~~[(36)]~~ (37) A state rehabilitative employment program, as provided in Section
567 78A-6-210.

568 ~~[(37)]~~ (38) The Utah Geological Survey, as provided in Section 79-3-401.

569 ~~[(38)]~~ (39) The Bonneville Shoreline Trail Program created under Section 79-5-503.

570 ~~[(39)]~~ (40) Adoption document access as provided in Sections 78B-6-141, 78B-6-144,
571 and 78B-6-144.5.

572 ~~[(40)]~~ (41) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent
573 Defense Commission.

574 ~~[(41)]~~ (42) The program established by the Division of Facilities Construction and
575 Management under Section 63A-5b-703 under which state agencies receive an appropriation
576 and pay lease payments for the use and occupancy of buildings owned by the Division of
577 Facilities Construction and Management.

578 Section 13. **Appropriation.**

579 The following sums of money are appropriated for the fiscal year beginning July 1,
580 2022 and ending June 30, 2023. These are additions to amounts previously appropriated for
581 fiscal year 2023. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
582 Act, the Legislature appropriates the following sums of money from the funds or accounts
583 indicated for the use and support of the government of the state of Utah.

584 ITEM 1

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

586 From Education Fund, One-time \$2,500,000

587 Schedule of Programs:

588 Education Innovation Program \$2,500,000

589 The Legislature intends that the money appropriated to the State Board of Education be

590 used and distributed as provided in Title 53G, Chapter 10, Part 6, Education Innovation

591 Program.