

**SCHOOL ENERGY AND WATER REDUCTIONS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Gay Lynn Bennion**

Senate Sponsor: \_\_\_\_\_

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**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

**Utah Code Sections Affected:**

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

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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 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; or  
65 (viii) another means of optimizing and measuring energy or water efficiency.

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

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

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

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

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

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

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

- 89 (a) Education Interim Committee; and

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

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

92 **63I-2-253. Repeal dates: Titles 53 through 53G.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

117 (10) Subsection **53E-10-309(7)**, related to the PRIME pilot program, is repealed July 1,  
118 2024.

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

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

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

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

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

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

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

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

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

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

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

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

141 [~~(21)~~] (22) In Subsection [53F-9-302\(3\)](#), the language that states "or [53F-2-301.5](#), as  
142 applicable" is repealed July 1, 2023.

143 [~~(22)~~] (23) In Subsection [53F-9-305\(3\)\(a\)](#), the language that states "or [53F-2-301.5](#), as  
144 applicable" is repealed July 1, 2023.

145 [~~(23)~~] (24) In Subsection [53F-9-306\(3\)\(a\)](#), the language that states "or [53F-2-301.5](#), as  
146 applicable" is repealed July 1, 2023.

147 [~~(24)~~] (25) In Subsection [53G-3-304\(1\)\(c\)\(i\)](#), the language that states "or [53F-2-301.5](#),  
148 as applicable" is repealed July 1, 2023.

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

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

154 Section 3. **Appropriation.**

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

160 ITEM 1

161 To State Board of Education -- Contracted Initiatives and Grants  
162 From Income Tax Fund, One-time \$9,900,000

163 Schedule of Programs:

164 Contracts and Grants \$9,900,000

165 The Legislature intends that:

166 (1) the appropriations under this item be used for the grant program under Section  
167 53F-5-220; and

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