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**SCHOOL FEES AMENDMENTS**  
2024 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Mark A. Strong**  
Senate Sponsor: Ann Millner

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**LONG TITLE**

**General Description:**

This bill amends and enacts provisions related to elementary and secondary school fees.

**Highlighted Provisions:**

This bill:

- amends definitions;
- prescribes fees a local education agency (LEA) may charge a secondary school student for a curricular or co-curricular activity for a certain duration;
- authorizes an LEA to charge a secondary school student a fee for an extracurricular activity for a certain duration;
- prohibits an LEA from charging a general fee;
- amends provisions related to fees for textbooks;
- prohibits charging a student in grade 6 a fee for a remediation program; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2025:

- to State Board of Education - State Board and Administrative Operations - Financial Operations as a one-time appropriation:
  - from the Public Education Economic Stabilization Restricted Account, One-time, \$35,537,800

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

**53E-1-201 (Effective 05/01/24)**, as last amended by Laws of Utah 2023, Chapters 1, 328

27 and 380  
 28 **53E-8-401 (Effective 05/01/24)**, as last amended by Laws of Utah 2020, Chapter 408  
 29 **53E-10-305 (Effective 05/01/24)**, as last amended by Laws of Utah 2020, Chapters 220,  
 30 365  
 31 **53G-5-405 (Effective 05/01/24)**, as last amended by Laws of Utah 2023, Chapter 343  
 32 **53G-6-302 (Effective 05/01/24)**, as last amended by Laws of Utah 2023, Chapter 328  
 33 **53G-6-303 (Effective 05/01/24)**, as last amended by Laws of Utah 2019, Chapter 293  
 34 **53G-6-701 (Effective 05/01/24)**, as enacted by Laws of Utah 2018, Chapter 3  
 35 **53G-7-501 (Effective 05/01/24)**, as last amended by Laws of Utah 2020, Chapter 51  
 36 **53G-7-502 (Effective 05/01/24)**, as last amended by Laws of Utah 2019, Chapter 223  
 37 **53G-7-503 (Effective 05/01/24)**, as last amended by Laws of Utah 2021, Chapter 341  
 38 **53G-7-504 (Effective 05/01/24)**, as last amended by Laws of Utah 2020, Chapter 408  
 39 **53G-9-803 (Effective 05/01/24)**, as last amended by Laws of Utah 2019, Chapter 293  
 40 **53G-10-503 (Effective 05/01/24)**, as last amended by Laws of Utah 2021, Chapter 247  
 41 **63I-2-253 (Effective 05/01/24) (Superseded 07/01/24)**, as last amended by Laws of Utah  
 42 2023, Chapters 7, 21, 33, 142, 167, 168, 380, 383, and 467  
 43 **63I-2-253 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 7, 21,  
 44 33, 142, 167, 168, 310, 380, 383, and 467

45 RENUMBERS AND AMENDS:

46 **53G-7-506 (Effective 05/01/24)**, (Renumbered from 53G-7-602, as last amended by  
 47 Laws of Utah 2020, Chapter 138)  
 48 **53G-7-507 (Effective 05/01/24)**, (Renumbered from 53G-7-603, as repealed and  
 49 reenacted by Laws of Utah 2019, Chapter 223)

50 REPEALS:

51 **53G-7-601 (Effective 05/01/24)**, as last amended by Laws of Utah 2020, Chapter 138

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

54 Section 1. Section **53E-1-201** is amended to read:

55 **53E-1-201 (Effective 05/01/24). Reports to and action required of the Education**  
 56 **Interim Committee.**

57 (1) In accordance with applicable provisions and Section 68-3-14, the following recurring  
 58 reports are due to the Education Interim Committee:

59 (a) the report described in Section 9-22-109 by the STEM Action Center Board,  
 60 including the information described in Section 9-22-113 on the status of the computer

- 61 science initiative and Section 9-22-114 on the Computing Partnerships Grants  
62 Program;
- 63 (b) the prioritized list of data research described in Section 53B-33-302 and the report on  
64 research and activities described in Section 53B-33-304 by the Utah Data Research  
65 Center;
- 66 (c) the report described in Section 35A-15-303 by the State Board of Education on  
67 preschool programs;
- 68 (d) the report described in Section 53B-1-402 by the Utah Board of Higher Education on  
69 career and technical education issues and addressing workforce needs;
- 70 (e) the annual report of the Utah Board of Higher Education described in Section  
71 53B-1-402;
- 72 (f) the reports described in Section 53B-28-401 by the Utah Board of Higher Education  
73 regarding activities related to campus safety;
- 74 (g) the State Superintendent's Annual Report by the state board described in Section  
75 53E-1-203;
- 76 (h) the annual report described in Section 53E-2-202 by the state board on the strategic  
77 plan to improve student outcomes;
- 78 (i) the report described in Section 53E-8-204 by the state board on the Utah Schools for  
79 the Deaf and the Blind;
- 80 (j) the report described in Section 53E-10-703 by the Utah Leading through Effective,  
81 Actionable, and Dynamic Education director on research and other activities;
- 82 (k) the report described in Section 53F-2-522 regarding mental health screening  
83 programs;
- 84 (l) the report described in Section 53F-4-203 by the state board and the independent  
85 evaluator on an evaluation of early interactive reading software;
- 86 (m) the report described in Section 63N-20-107 by the Governor's Office of Economic  
87 Opportunity on UPSTART;
- 88 (n) the reports described in Sections 53F-5-214 and 53F-5-215 by the state board related  
89 to grants for professional learning and grants for an elementary teacher preparation  
90 assessment;
- 91 (o) upon request, the report described in Section 53F-5-219 by the state board on the  
92 Local Innovations Civics Education Pilot Program;
- 93 (p) the report described in Section 53F-5-405 by the State Board of Education regarding  
94 an evaluation of a partnership that receives a grant to improve educational outcomes

- 95 for students who are low income;
- 96 (q) the report described in Section 53B-35-202 regarding the Higher Education and  
97 Corrections Council;
- 98 (r) the report described in Section 53G-7-221 by the State Board of Education regarding  
99 innovation plans;
- 100 (s) the annual report described in Section 63A-2-502 by the Educational Interpretation  
101 and Translation Service Procurement Advisory Council; and
- 102 (t) the reports described in Section 53F-6-412 regarding the Utah Fits All Scholarship  
103 Program.
- 104 (2) In accordance with applicable provisions and Section 68-3-14, the following occasional  
105 reports are due to the Education Interim Committee:
- 106 [~~(a) the report described in Section 35A-15-303 by the School Readiness Board by  
107 November 30, 2020, on benchmarks for certain preschool programs;~~]
- 108 [~~(b) the report described in Section 53B-28-402 by the Utah Board of Higher Education  
109 on or before the Education Interim Committee's November 2021 meeting;~~]
- 110 [~~(e)~~ (a) if required, the report described in Section 53E-4-309 by the state board  
111 explaining the reasons for changing the grade level specification for the  
112 administration of specific assessments;
- 113 [~~(d)~~ (b) if required, the report described in Section 53E-5-210 by the state board of an  
114 adjustment to the minimum level that demonstrates proficiency for each statewide  
115 assessment;
- 116 [~~(e) in 2022 and in 2023, on or before November 30, the report described in Subsection  
117 53E-10-309(5) related to the PRIME pilot program;~~]
- 118 [~~(f)~~ (c) the report described in Section 53E-10-702 by Utah Leading through Effective,  
119 Actionable, and Dynamic Education;
- 120 [~~(g)~~ (d) if required, the report described in Section 53F-2-513 by the state board  
121 evaluating the effects of salary bonuses on the recruitment and retention of effective  
122 teachers in high poverty schools;
- 123 [~~(h)~~ (e) the report described in Section 53F-5-210 by the state board on the Educational  
124 Improvement Opportunities Outside of the Regular School Day Grant Program;
- 125 [~~(i)~~ (f) upon request, a report described in Section 53G-7-222 by an LEA regarding  
126 expenditure of a percentage of state restricted funds to support an innovative  
127 education program;
- 128 [~~(j) the report described in Section 53G-7-503 by the state board regarding fees that~~

129 LEAs charge during the 2020-2021 school year;]  
 130 [(k)] (g) the reports described in Section 53G-11-304 by the state board regarding  
 131 proposed rules and results related to educator exit surveys; and  
 132 [(h)] (h) the report described in Section 26B-5-113 by the Office of Substance Use and  
 133 Mental Health, the State Board of Education, and the Department of Health and  
 134 Human [Service] Services regarding recommendations related to Medicaid  
 135 reimbursement for school-based health services.

136 Section 2. Section **53E-8-401** is amended to read:

137 **53E-8-401 (Effective 05/01/24). Eligibility for services of the Utah Schools for the**  
 138 **Deaf and the Blind.**

- 139 (1) Except as provided in Subsections (3), (4), and (5), an individual is eligible to receive  
 140 services of the Utah Schools for the Deaf and the Blind if the individual is:
- 141 (a) a resident of Utah;
  - 142 (b) younger than 22 years [~~of age~~] old;
  - 143 (c) referred to the Utah Schools for the Deaf and the Blind by:
    - 144 (i) the individual's school district of residence;
    - 145 (ii) a local early intervention program; or
    - 146 (iii) if the referral is consistent with the Individual with Disabilities Education Act,  
 147 20 U.S.C. Sec. 1400 et seq., the Parent Infant Program; and
  - 148 (d) identified as deaf, blind, or deafblind through:
    - 149 (i) the special education eligibility determination process; or
    - 150 (ii) the Section 504 eligibility determination process.
- 151 (2) (a) In determining eligibility for an individual who is younger than age three and is  
 152 deafblind, the following information may be used:
- 153 (i) ophthalmological and audiological documentation;
  - 154 (ii) functional vision or hearing assessments and evaluations; or
  - 155 (iii) informed clinical opinion conducted by a person with expertise in deafness,  
 156 blindness, or deafblindness.
- 157 (b) Informed clinical opinion shall be:
- 158 (i) included in the determination of eligibility when documentation is incomplete or  
 159 not conclusive; and
  - 160 (ii) based on pertinent records related to the individual's current health status and  
 161 medical history, an evaluation and observations of the individual's level of sensory  
 162 functioning, and the needs of the family.

- 163 (3) (a) A student who qualifies for special education shall have services and placement  
 164 determinations made through the IEP process.
- 165 (b) A student who qualifies for accommodations under Section 504 shall have services  
 166 and placement determinations made through the Section 504 team process.
- 167 (4) (a) A nonresident may receive services of the Utah Schools for the Deaf and the  
 168 Blind in accordance with the rules of the state board described in Subsection (6).
- 169 (b) ~~[The rules shall]~~ Notwithstanding Section 53G-7-503, the state board shall ensure that  
 170 the rules described in Subsection (6) require the payment of tuition for services  
 171 provided to a nonresident.
- 172 (5) An individual is eligible to receive services from the Utah Schools for the Deaf and the  
 173 Blind under circumstances described in Section 53E-8-408.
- 174 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
 175 state board:
- 176 (a) shall make rules that determine the eligibility of students to be served by the Utah  
 177 Schools for the Deaf and the Blind; and
- 178 (b) may make rules to allow a resident of Utah who is neither deaf, blind, nor deafblind  
 179 to receive services of the Utah Schools for the Deaf and the Blind if the resident is  
 180 younger than 22 years ~~[of age]~~ old.
- 181 Section 3. Section **53E-10-305** is amended to read:
- 182 **53E-10-305 (Effective 05/01/24). Tuition and fees.**
- 183 (1) Except as provided in this section, the Utah Board of Higher Education or an institution  
 184 of higher education may not charge tuition or fees for a concurrent enrollment course.
- 185 (2) (a) The Utah Board of Higher Education may charge a one-time fee for a student to  
 186 participate in the concurrent enrollment program.
- 187 (b) A student who pays a fee described in Subsection (2)(a) does not satisfy a general  
 188 admission application fee requirement for a full-time or part-time student at an  
 189 institution of higher education.
- 190 (3) (a) An institution of higher education may charge a one-time admission application  
 191 fee for concurrent enrollment course credit offered by the institution of higher  
 192 education.
- 193 (b) Payment of the fee described in Subsection (3)(a) satisfies the general admission  
 194 application fee requirement for a full-time or part-time student at an institution of  
 195 higher education.
- 196 (4) (a) Except as provided in Subsection (4)(b), an institution of higher education may

197 charge partial tuition of no more than \$30 per credit hour for a concurrent enrollment  
198 course for which a student earns college credit.

199 (b) An institution of higher education may not charge more than:

200 (i) \$5 per credit hour for an eligible student who qualifies for free or reduced price  
201 school lunch;

202 (ii) \$10 per credit hour for a concurrent enrollment course that is taught at an LEA by  
203 an eligible instructor described in Subsection 53E-10-302(6)(b); or

204 (iii) \$15 per credit hour for a concurrent enrollment course that is taught through  
205 video conferencing.

206 [~~5) In accordance with Section 53G-7-603, an LEA may charge a fee for a textbook, as~~  
207 ~~defined in Section 53G-7-601, that is required for a concurrent enrollment course.]~~

208 Section 4. Section **53G-5-405** is amended to read:

209 **53G-5-405 (Effective 05/01/24). Application of statutes and rules to charter**  
210 **schools.**

211 (1) A charter school shall operate in accordance with its charter agreement and is subject to  
212 this public education code and other state laws applicable to public schools, except as  
213 otherwise provided in this chapter and other related provisions.

214 (2) (a) Except as provided in Subsections (2)(b) and (2)(c), state board rules governing  
215 the following do not apply to a charter school:

216 (i) school libraries;

217 (ii) required school administrative and supervisory services; and

218 (iii) required expenditures for instructional supplies.

219 (b) A charter school shall comply with rules implementing statutes that prescribe how  
220 state appropriations may be spent.

221 (c) If a charter school provides access to a school library, the charter school governing  
222 board shall provide an online platform:

223 (i) through which a parent is able to view the title, author, and a description of any  
224 material the parent's child borrows from the school library, including a history of  
225 borrowed materials, either using an existing online platform that the charter school  
226 uses or through a separate platform; and

227 (ii) (A) for a charter school with 1,000 or more enrolled students, no later than  
228 August 1, 2024; and

229 (B) for a charter school with fewer than 1,000 enrolled students, no later than  
230 August 1, 2026.

- 231 (3) The following provisions of this public education code, and rules adopted under those  
 232 provisions, do not apply to a charter school:
- 233 (a) Section 53E-4-408, requiring an independent evaluation of instructional materials;  
 234 (b) Section 53G-4-409, requiring the use of activity disclosure statements;  
 235 (c) Sections 53G-7-304 and 53G-7-306, pertaining to fiscal procedures of school  
 236 districts and local school boards;  
 237 ~~[(d) Section 53G-7-606, requiring notification of intent to dispose of textbooks;]~~  
 238 ~~[(e)]~~ (d) Section 53G-7-1202, requiring the establishment of a school community  
 239 council; and  
 240 ~~[(f)]~~ (e) Section 53G-10-404, requiring annual presentations on adoption.
- 241 (4) For the purposes of Title 63G, Chapter 6a, Utah Procurement Code, a charter school is  
 242 considered an educational procurement unit as defined in Section 63G-6a-103.
- 243 (5) Each charter school shall be subject to:
- 244 (a) Title 52, Chapter 4, Open and Public Meetings Act; and  
 245 (b) Title 63G, Chapter 2, Government Records Access and Management Act.
- 246 (6) A charter school is exempt from Section 51-2a-201.5, requiring accounting reports of  
 247 certain nonprofit corporations. A charter school is subject to the requirements of Section  
 248 53G-5-404.
- 249 (7) (a) The State Charter School Board shall, in concert with the charter schools, study  
 250 existing state law and administrative rules for the purpose of determining from which  
 251 laws and rules charter schools should be exempt.
- 252 (b) (i) The State Charter School Board shall present recommendations for exemption  
 253 to the state board for consideration.
- 254 (ii) The state board shall consider the recommendations of the State Charter School  
 255 Board and respond within 60 days.
- 256 Section 5. Section **53G-6-302** is amended to read:
- 257 **53G-6-302 (Effective 05/01/24). Child's school district of residence --**  
 258 **Determination -- Responsibility for providing educational services.**
- 259 (1) As used in this section:
- 260 (a) "Health care facility" means the same as that term is defined in Section 26B-2-201.  
 261 (b) "Human services program" means the same as that term is defined in Section  
 262 26B-2-101.  
 263 (c) "Supervision" means a minor child is:  
 264 (i) receiving services from a state agency, local mental health authority, or substance



- 265 abuse authority with active involvement or oversight; and
- 266 (ii) engaged in a human services program that is properly licensed or certified and
- 267 has provided the school district receiving the minor child with an education plan
- 268 that complies with the requirements of Section 26B-2-116.
- 269 (2) The school district of residence of a minor child whose custodial parent resides within
- 270 Utah is:
- 271 (a) the school district in which the custodial parent resides; or
- 272 (b) the school district in which the child resides:
- 273 (i) while in the custody or under the supervision of a Utah state agency, local mental
- 274 health authority, or substance abuse authority;
- 275 (ii) while under the supervision of a private or public agency which is in compliance
- 276 with Section 26B-2-131 and is authorized to provide child placement services by
- 277 the state;
- 278 (iii) while living with a responsible adult resident of the district, if a determination
- 279 has been made in accordance with rules made by the state board in accordance
- 280 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that:
- 281 (A) the child's physical, mental, moral, or emotional health will best be served by
- 282 considering the child to be a resident for school purposes;
- 283 (B) exigent circumstances exist that do not permit the case to be appropriately
- 284 addressed under Section 53G-6-402; and
- 285 (C) considering the child to be a resident of the district under this Subsection
- 286 (2)(b)(iii) does not violate any other law or rule of the state board;
- 287 (iv) while the child is receiving services from a health care facility or human services
- 288 program, if a determination has been made in accordance with rules made by the
- 289 state board in accordance with Title 63G, Chapter 3, Utah Administrative
- 290 Rulemaking Act, that:
- 291 (A) the child's physical, mental, moral, or emotional health will best be served by
- 292 considering the child to be a resident for school purposes;
- 293 (B) exigent circumstances exist that do not permit the case to be appropriately
- 294 addressed under Section 53G-6-402; and
- 295 (C) considering the child to be a resident of the district under this Subsection
- 296 (2)(b)(iv) does not violate any other law or rule of the state board; or
- 297 (v) if the child is married or has been determined to be an emancipated minor by a
- 298 court of law or by a state administrative agency authorized to make that

- 299 determination.
- 300 (3) A minor child whose custodial parent does not reside in the state is considered to be a  
301 resident of the district in which the child lives, unless that designation violates any other  
302 law or rule of the state board, if:
- 303 (a) the child is married or an emancipated minor under Subsection (2)(b)(v);
- 304 (b) the child lives with a resident of the district who is a responsible adult and whom the  
305 district agrees to designate as the child's legal guardian under Section 53G-6-303;
- 306 (c) if permissible under policies adopted by a local school board, it is established to the  
307 satisfaction of the local school board that:
- 308 (i) the child lives with a responsible adult who is a resident of the district and is the  
309 child's noncustodial parent, grandparent, brother, sister, uncle, or aunt;
- 310 (ii) the child's presence in the district is not for the primary purpose of attending the  
311 public schools;
- 312 (iii) the child's physical, mental, moral, or emotional health will best be served by  
313 considering the child to be a resident for school purposes; and
- 314 (iv) the child is prepared to abide by the policies of the school and school district in  
315 which attendance is sought; or
- 316 (d) it is established to the satisfaction of the local school board that:
- 317 (i) the child's parent moves from the state;
- 318 (ii) the child's parent executes a power of attorney under Section 75-5-103 that:
- 319 (A) meets the requirements of Subsection (4); and
- 320 (B) delegates powers regarding care, custody, or property, including schooling, to  
321 a responsible adult with whom the child resides;
- 322 (iii) the responsible adult described in Subsection (3)(d)(ii)(B) is a resident of the  
323 district;
- 324 (iv) the child's physical, mental, moral, or emotional health will best be served by  
325 considering the child to be a resident for school purposes;
- 326 (v) the child is prepared to abide by the policies of the school and school district in  
327 which attendance is sought; and
- 328 (vi) the child's attendance in the school will not be detrimental to the school or school  
329 district.
- 330 (4) (a) If admission is sought under Subsection (2)(b)(iii), (3)(c), or (3)(d), then the  
331 district may require the person with whom the child lives to be designated as the  
332 child's custodian in a durable power of attorney, issued by the party who has legal

333 custody of the child, granting the custodian full authority to take any appropriate  
 334 action, including authorization for educational or medical services, in the interests of  
 335 the child.

336 (b) Both the party granting and the party empowered by the power of attorney shall  
 337 agree to:

338 (i) assume responsibility for any fees~~[or other charges relating]~~ , as defined in  
 339 Section 53G-7-501, to the child's education in the district; and

340 (ii) if eligibility for fee waivers is claimed under Section 53G-7-504, provide the  
 341 school district with all financial information requested by the district for purposes  
 342 of determining eligibility for fee waivers.

343 (c) Notwithstanding Section 75-5-103, a power of attorney meeting the requirements of  
 344 this section and accepted by the school district shall remain in force until the earliest  
 345 of the following occurs:

346 (i) the child reaches ~~[the age of 18]~~ 18 years old, marries, or becomes emancipated;

347 (ii) the expiration date stated in the document; or

348 (iii) the power of attorney is revoked or rendered inoperative by the grantor or  
 349 grantee, or by order of a court of competent jurisdiction.

350 (5) A power of attorney does not confer legal guardianship.

351 (6) Each school district is responsible for providing educational services for all children of  
 352 school age who are residents of the district.

353 Section 6. Section **53G-6-303** is amended to read:

354 **53G-6-303 (Effective 05/01/24). Guardianship for residency purposes by**  
 355 **responsible adult -- Procedure to obtain -- Termination.**

356 (1) For purposes of this part, "responsible adult" means a person 21 years ~~[of age]~~ old or  
 357 older who is a resident of this state and is willing and able to provide reasonably  
 358 adequate food, clothing, shelter, and supervision for a minor child.

359 (2) A local school board may adopt a policy permitting it to designate a responsible adult  
 360 residing in the school district as legal guardian of a child whose custodial parent does  
 361 not reside within the state upon compliance with the following requirements:

362 (a) submission to the school district of a signed and notarized affidavit by the child's  
 363 custodial parent stating that:

364 (i) the child's presence in the district is not for the primary purpose of attending the  
 365 public schools;

366 (ii) the child's physical, mental, moral, or emotional health would best be served by a

- 367 transfer of guardianship to the Utah resident;
- 368 (iii) the affiant is aware that designation of a guardian under this section is equivalent  
369 to a court-ordered guardianship under Section 75-5-206 and will suspend or  
370 terminate any existing parental or guardianship rights in the same manner as  
371 would occur under a court-ordered guardianship;
- 372 (iv) the affiant consents and submits to any such suspension or termination of  
373 parental or guardianship rights;
- 374 (v) the affiant consents and submits to the jurisdiction of the state district court in  
375 which the school district is located in any action relating to the guardianship or  
376 custody of the child in question;
- 377 (vi) the affiant designates a named responsible adult as agent, authorized to accept  
378 service on behalf of the affiant of any process, notice, or demand required or  
379 permitted to be served in connection with any action under Subsection (2)(a)(v);  
380 and
- 381 (vii) it is the affiant's intent that the child become a permanent resident of the state  
382 and reside with and be under the supervision of the named responsible adult;
- 383 (b) submission to the school district of a signed and notarized affidavit by the  
384 responsible adult stating that:
- 385 (i) the affiant is a resident of the school district and desires to become the guardian of  
386 the child;
- 387 (ii) the affiant consents and submits to the jurisdiction of the state district court in  
388 which the school district is located in any action relating to the guardianship or  
389 custody of the child in question;
- 390 (iii) the affiant will accept the responsibilities of guardianship for the duration,  
391 including the responsibility to provide adequate supervision, discipline, food,  
392 shelter, educational and emotional support, and medical care for the child if  
393 designated as the child's guardian; and
- 394 (iv) the affiant accepts the designation as agent under Subsection (2)(a)(vi);
- 395 (c) submission to the school district of a signed and notarized affidavit by the child  
396 stating that:
- 397 (i) the child desires to become a permanent resident of Utah and reside with and be  
398 responsible to the named responsible adult; and
- 399 (ii) the child will abide by all applicable policies of any public school which the child  
400 may attend after guardianship is awarded; and

- 401 (d) if the child's custodial parent cannot be found in order to execute the statement  
402 required under Subsection (2)(a), the responsible adult must submit an affidavit to  
403 that effect to the district. The district shall also submit a copy of the statement to the  
404 Criminal Investigations and Technical Services Division of the Department of Public  
405 Safety, established in Section 53-10-103.
- 406 (3) The district may require the responsible adult, in addition to the documents set forth in  
407 Subsection (2), to also submit any other documents which are relevant to the  
408 appointment of a guardian of a minor or which the district reasonably believes to be  
409 necessary in connection with a given application to substantiate any claim or assertion  
410 made in connection with the application for guardianship.
- 411 (4) Upon receipt of the information and documentation required under Subsections (2) and  
412 (3), and a determination by the local school board that the information is accurate, that  
413 the requirements of this section have been met, and that the interests of the child would  
414 best be served by granting the requested guardianship, the local school board or its  
415 authorized representative may designate the applicant as guardian of the child by issuing  
416 a designation of guardianship letter to the applicant.
- 417 (5) (a) If a local school board has adopted a policy permitting the local school board to  
418 designate a guardian under this section, a denial of an application for appointment of  
419 a guardian may be appealed to the district court in which the school district is located.
- 420 (b) The court shall uphold the decision of the local school board unless it finds, by clear  
421 and convincing evidence, that the local school board's decision was arbitrary and  
422 capricious.
- 423 (c) An applicant may, rather than appealing the local school board's decision under  
424 Subsection (5)(b), file an original Petition for Appointment of Guardian with the  
425 district court, which action shall proceed as if no decision had been made by the  
426 local school board.
- 427 (6) A responsible adult obtaining guardianship under this section has the same rights,  
428 authority, and responsibilities as a guardian appointed under Section 75-5-201.
- 429 (7) (a) The school district shall deliver the original documents filed with the school  
430 district, together with a copy of the designation of guardianship issued by the district,  
431 in person or by any form of mail requiring a signed receipt, to the clerk of the state  
432 district court in which the school district is located.
- 433 (b) The court may not charge the school district a fee for filing guardianship papers  
434 under this section.

- 435 (8) (a) The authority and responsibility of a custodial parent submitting an affidavit  
 436 under this section may be restored by the district, and the guardianship obtained  
 437 under this section terminated by the district:
- 438 (i) upon submission to the school district in which the guardianship was obtained of a  
 439 signed and notarized statement by the person who consented to guardianship  
 440 under Subsection (2)(a) requesting termination of the guardianship; or  
 441 (ii) by the person accepting guardianship under Subsection (2)(b) requesting the  
 442 termination of the guardianship.
- 443 (b) If the school district determines that it would not be in the best interests of the child  
 444 to terminate the guardianship, the district may refer the request for termination to the  
 445 state district court in which the documents were filed under Subsection (5) for further  
 446 action consistent with the interests of the child.
- 447 (9) The school district shall retain copies of all documents required by this section until the  
 448 child in question has reached [~~the age of 18~~] 18 years old unless directed to surrender the  
 449 documents by a court of competent jurisdiction.
- 450 (10) (a) Intentional submission to a school district of fraudulent or misleading  
 451 information under this part is punishable under Section 76-8-504.
- 452 (b) A school district which has reason to believe that a party has intentionally submitted  
 453 false or misleading information under this part may, after notice and opportunity for  
 454 the party to respond to the allegation:
- 455 (i) void any guardianship, authorization, or action which was based upon the false or  
 456 misleading information; and  
 457 (ii) recover, from the party submitting the information, the full cost of any benefits  
 458 received by the child on the basis of the false or misleading information, including  
 459 tuition, fees, as defined in Section 53G-7-501, and other unpaid school charges,  
 460 together with any related costs of recovery.
- 461 (c) A student whose guardianship or enrollment has been terminated under this section  
 462 may, upon payment of all applicable tuition and fees, as defined in Section 53G-7-501,  
 463 continue in enrollment until the end of the school year unless excluded from  
 464 attendance for cause.

465 Section 7. Section **53G-6-701** is amended to read:

466 **53G-6-701 (Effective 05/01/24). Definitions.**

467 [Reserved] As used in this part, "fee" means the same as that term is defined in  
 468 Section 53G-7-501.

469 Section 8. Section **53G-7-501** is amended to read:

470 **53G-7-501 (Effective 05/01/24). Definitions.**

471 As used in this part:

472 (1) "Co-curricular activity" means an activity, a course, or a program that:

473 (a) is an extension of a curricular activity;

474 (b) is included in an instructional plan and supervised or conducted by a teacher or  
475 education professional;

476 (c) is conducted outside of regular school hours;

477 (d) is provided, sponsored, or supported by an LEA; and

478 (e) includes a required regular school day activity, course, or program.

479 (2) "Curricular activity" means an activity, a course, or a program that[-is]:

480 (a) is intended to deliver instruction;

481 (b) is provided, sponsored, or supported by an LEA; and

482 (c) is conducted only during school hours.

483 (3) "Elementary school" means a school that provides instruction to students in grades  
484 kindergarten, 1, 2, 3, 4, 5, or 6.

485 (4) (a) "Elementary school student" means a student enrolled in an elementary school.

486 (b) "Elementary school student" does not include a secondary school student.

487 (5) (a) "Extracurricular activity" means an activity, a course, or a program that is:

488 (i) not directly related to delivering required instruction;

489 (ii) not a curricular activity or co-curricular activity; and

490 (iii) provided, sponsored, or supported by an LEA.

491 (b) "Extracurricular activity" does not include a noncurricular club as defined in Section  
492 53G-7-701.

493 (6) (a) "Fee" means a charge, expense, deposit, rental, or payment:

494 (i) regardless of how the charge, expense, deposit, rental, or payment is termed,  
495 described, requested, or required directly or indirectly;

496 (ii) in the form of money, goods, or services; and

497 (iii) that is a condition to a student's full participation in an activity, course, or  
498 program that is provided, sponsored, or supported by an LEA.

499 (b) "Fee" includes:

500 [~~(i) money or something of monetary value raised by a student or the student's~~  
501 ~~family through fundraising;~~]

502 [~~(ii)~~] (i) charges or expenditures for a school field trip or activity trip, including

- 503 related transportation, food, lodging, and admission charges;
- 504 [~~(iii)~~] (ii) payments made to a third party that provides a part of a school activity,
- 505 class, or program;
- 506 [~~(iv)~~] (iii) charges or expenditures for classroom[:]
- 507 [~~(A)~~ textbooks;]
- 508 [~~(B)~~ instructional equipment or supplies; [or]
- 509 [~~(C)~~ materials;]
- 510 [~~(v)~~] (iv) charges or expenditures for school activity clothing; and
- 511 [~~(vi)~~] (v) a fine other than a fine described in Subsection (6)(c)(i).
- 512 (c) "Fee" does not include:
- 513 (i) a student fine specifically approved by an LEA for:
- 514 (A) failing to return school property;
- 515 (B) losing, wasting, or damaging private or school property through intentional,
- 516 careless, or irresponsible behavior, or as described in Section 53G-8-212; or
- 517 (C) improper use of school property, including a parking violation;
- 518 (ii) a payment for school breakfast or lunch;
- 519 (iii) a deposit that is:
- 520 (A) a pledge securing the return of school property; and
- 521 (B) refunded upon the return of the school property; [or]
- 522 (iv) a charge for insurance, unless the insurance is required for a student to participate
- 523 in an activity, course, or program[:]; or
- 524 (v) money or another item of monetary value raised by a student or the student's
- 525 family through fundraising.
- 526 (7) (a) "Fundraising" means an activity or event provided, sponsored, or supported by an
- 527 LEA that uses students to generate funds or raise money to:
- 528 (i) provide financial support to a school or a school's class, group, team, or program;
- 529 or
- 530 (ii) benefit a particular charity or for other charitable purposes.
- 531 (b) "Fundraising" does not include an alternative method of raising revenue without
- 532 students.
- 533 (8) (a) "Instructional equipment or supplies" means an activity-, course-, or
- 534 program-related tool or supply that:
- 535 (i) a student is required to use as part of an activity, course, or program in a
- 536 secondary school;



- 537           (ii) become the property of the student upon exiting the activity, course, or program;  
538           and  
539           (iii) is subject to a fee waiver.
- 540           (b) "Instructional equipment or supplies" does not include school equipment.
- 541   [(8)] (9) (a) "School activity clothing" means special shoes or items of clothing:  
542           (i) (A) that meet specific requirements, including requesting a specific brand,  
543           fabric, or imprint; [and]  
544           (B) that a school requires a student to provide; and  
545           (C) that become the property of the student upon exiting the activity, course, or  
546           program; and  
547           (ii) that [is] are required to be worn by a student for [a co-curricular or extracurricular]  
548           an activity-, course-, or a program-related activity.
- 549           (b) "School activity clothing" does not include:  
550           (i) a school uniform; or  
551           (ii) clothing that is commonly found in students' homes.
- 552   (10) "School equipment" means a machine, equipment, facility, or tool that:  
553           (a) is durable;  
554           (b) is reusable;  
555           (c) is consumable;  
556           (d) is owned or retained by a secondary school; and  
557           (e) a student uses as part of an activity, course, or program in a secondary school.
- 558   [(9)] (11) (a) "School uniform" means special shoes or an item of clothing:  
559           (i) (A) that meet specific requirements, including a requested specific color, style,  
560           fabric, or imprint; and  
561           (B) that a school requires a student to provide; and  
562           (ii) that is worn by a student for a curricular activity.
- 563           (b) "School uniform" does not include school activity clothing.
- 564   [(10)] (12) "Secondary school" means a school that provides instruction to students in  
565           grades 7, 8, 9, 10, 11, or 12.
- 566   [(11)] (13) "Secondary school student":  
567           (a) means a student enrolled in a secondary school; and  
568           (b) includes a student in grade 6 if the student attends a secondary school.
- 569   [(12)] (14) (a) "Textbook" means [the same as that term is defined in Section 53G-7-601.]  
570           instructional material necessary for participation in an activity, course, or program,

571 regardless of the format of the material.

572 (b) "Textbook" includes:

573 (i) a hardcopy book or printed pages of instructional material, including a  
574 consumable workbook; or

575 (ii) computer hardware, software, or digital content.

576 (c) "Textbook" does not include instructional equipment or supplies.

577 [(13)] (15) "Waiver" means a full[ ~~or partial~~] release from a requirement to pay a fee and  
578 from any provision in lieu of fee payment.

579 Section 9. Section **53G-7-502** is amended to read:

580 **53G-7-502 (Effective 05/01/24). Schools to be free.**

581 Except as otherwise provided in this public education code, the public education  
582 system shall be free to an individual:

583 (1) between five and 18 years [~~of age~~] old who is a resident; and

584 (2) over 18 years old who is domiciled in the state of Utah and has not completed  
585 requirements for a high school diploma.

586 Section 10. Section **53G-7-503** is amended to read:

587 **53G-7-503 (Effective 05/01/24). Fees -- Prohibitions -- Voluntary supplies --**  
588 **Enforcement -- Penalties.**

589 (1) An LEA may only charge a fee if the fee is :

590 (a) authorized under this part; and

591 (b) noticed by the LEA governing board in accordance with Section 53G-7-505.

592 (2) (a) An LEA may not require a fee for elementary school activities that are part of the  
593 regular school day or for supplies used during the regular school day.

594 (b) An elementary school or elementary school teacher may compile and provide to[~~a~~]  
595 an elementary school student's parent a suggested list of supplies for use during the  
596 regular school day so that a parent may furnish, only on a voluntary basis, those  
597 supplies for student use.

598 (c) A list provided to an elementary school student's parent in accordance with Subsection  
599 (2)(b) shall include and be preceded by the following language:

600 "NOTICE: THE ITEMS ON THIS LIST WILL BE USED DURING THE REGULAR  
601 SCHOOL DAY. THEY MAY BE BROUGHT FROM HOME ON A VOLUNTARY BASIS,  
602 OTHERWISE, THEY WILL BE FURNISHED BY THE SCHOOL."

603 (3) Beginning with the 2025-2026 school year:

604 (a) an LEA may not charge a secondary student a fee for a curricular activity or a

- 605 co-curricular activity that is required for the instruction of established core standards  
606 as described in Section 53E-4-202 or 53E-4-204, and that is not an elective, except  
607 for the following:
- 608 (i) instructional equipment or supplies;
  - 609 (ii) a driver education course described in Section 53G-10-503;
  - 610 (iii) a payment for a fee for:
    - 611 (A) open enrollment application processing in accordance with Section 53G-6-402;
    - 612 (B) charter school application processing in accordance with Section 53G-6-503;
    - 613 or
    - 614 (C) competency remediation programs in accordance with Section 53G-9-803;
  - 615 (iv) a fee described in Subsection (5);
  - 616 (v) a music instrument rental; or
  - 617 (vi) school activity clothing;
- 618 (b) for that portion of a co-curricular activity that is during regular school hours, an LEA  
619 may only charge a secondary student for the fees described in Subsection (3)(a); and
- 620 (c) an LEA may charge a secondary student a fee for a co-curricular activity or  
621 extracurricular activity, including the life-cycle replacement costs for school  
622 equipment directly related to the co-curricular or extracurricular activity.
- 623 (4) An LEA may charge a secondary student:
- 624 (a) or an individual, a fee for an adult education course in accordance with Section  
625 53E-10-202; or
  - 626 (b) a fee for tuition, college credit, an exam, or a textbook, as described in Section  
627 53G-7-506, for:
    - 628 (i) an Advanced Placement course;
    - 629 (ii) an International Baccalaureate course; or
    - 630 (iii) a concurrent enrollment course, as described in Section 53E-10-302.
- 631 (5) An LEA may not charge a fee, except as provided in Subsection (3)(c):
- 632 (a) for school equipment; or
  - 633 (b) that is general in nature and for a service or good that does not have a direct benefit  
634 to the student paying the fee.
- 635 (6) An LEA governing board shall authorize each fee individually.
- 636 ~~[(3)]~~ (7) (a) [Beginning with or after the 2022-2023 school year, if ] If an LEA imposes a  
637 fee under this part, the fee shall be equal to or less than the expense incurred by the  
638 LEA in providing for a student the activity, course, or program for which the LEA

639 imposes the fee.

640 (b) An LEA may not impose an additional fee or increase a fee to supplant or subsidize  
641 another fee, including a fee to supplant or subsidize an expense that the LEA incurs  
642 for:

643 (i) a curricular activity; or

644 (ii) an expense for the portion of a co-curricular activity that occurs during regular  
645 school hours.

646 [~~(4) (a) Beginning with or after the 2021-2022 school year, and notwithstanding]~~

647 (8) Notwithstanding Section 53E-3-401, if the state board finds that an LEA has violated a  
648 provision of this part [~~or Part 6, Textbook Fees~~], the state board shall impose corrective  
649 action against the LEA, which may include:

650 ~~[(i) (a) requiring an LEA to repay improperly charged fees;~~

651 ~~[(ii) (b) withholding state funds; ~~and~~ or~~

652 ~~[(iii) (c) suspending the LEA's authority to charge fees for an amount of time specified~~  
653 ~~by the state board.~~

654 ~~[(b) (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the~~  
655 ~~state board shall make rules:~~

656 ~~[(i) (a) that require notice and an opportunity to be heard for an LEA affected by a state~~  
657 ~~board action described in this Subsection ~~[(4)(a)] (9); and~~~~

658 ~~[(ii) (b) to administer ~~[this Subsection (4)] this Subsection (9).~~~~

659 [~~(5) (a) For each fee on an LEA's fee schedule described in Section 53G-7-505, the LEA~~  
660 ~~shall:~~

661 ~~[(i) by July 1, 2020, determine whether the fee is curricular, co-curricular, or~~  
662 ~~extracurricular;]~~

663 ~~[(ii) for the 2020-2021 school year, measure the total number of:]~~

664 ~~[(A) students who pay each fee; and]~~

665 ~~[(B) money received for each fee;]~~

666 ~~[(iii) for the 2020-2021 school year, measure the total:]~~

667 ~~[(A) number of students who receive a fee waiver; and]~~

668 ~~[(B) value of each waiver for each waived fee; and]~~

669 ~~[(iv) by July 1, 2021, report the separate categories of data gathered under Subsections~~  
670 ~~(5)(a)(ii) and (iii) to the state board.]~~

671 ~~[(b) The state board shall report on the data the board receives under Subsection (5)(a) to~~  
672 ~~the Education Interim Committee on or before the date of the November interim meeting~~

673 in 2021.]

674 Section 11. Section **53G-7-504** is amended to read:

675 **53G-7-504 (Effective 05/01/24). Waiver of fees -- Appeal of decision.**

- 676 (1) (a) [Hf] Subject to the provisions of this part, if an LEA or a school within an LEA  
677 charges one or more fees, the LEA shall grant a waiver to a student if charging the  
678 fee would deny the student the opportunity to fully participate or complete a  
679 requirement because of an inability to pay the fee.
- 680 (b) An LEA governing board shall:
- 681 (i) adopt policies for granting a waiver; and
- 682 (ii) in accordance with Section 53G-7-505, give notice of waiver eligibility and  
683 policies.
- 684 (2) (a) An LEA that charges a fee under this part [~~and Part 6, Textbook Fees,~~] may  
685 provide a variety of alternatives for a student or family to satisfy a fee requirement,  
686 including allowing a student to provide:
- 687 (i) tutorial assistance to other students;
- 688 (ii) assistance before or after school to teachers and other school personnel on school  
689 related matters; and
- 690 (iii) general community or home service.
- 691 (b) Each LEA governing board may add to the list of alternatives provided by the state  
692 board, subject to approval by the state board.
- 693 (3) With regard to a student who is in the custody of the Division of Child and Family  
694 Services who is also eligible under Title IV-E of the federal Social Security Act, an LEA  
695 governing board shall require fee waivers or alternatives in accordance with this section.
- 696 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
697 state board shall make rules:
- 698 (a) requiring a parent of a student applying for a fee waiver to provide documentation  
699 and certification to the school verifying:
- 700 (i) the student's eligibility to receive the waiver; and
- 701 (ii) if applicable, that the student has complied with alternatives for satisfying the fee  
702 requirements under Subsection (2) to the fullest extent reasonably possible  
703 according to the individual circumstances of the student and the LEA; and
- 704 (b) specifying the acceptable forms of documentation for the requirement under  
705 Subsection (4)(a), which shall include verification based on income tax returns or  
706 current pay stubs.

707 (5) Notwithstanding the requirements under Subsection (4), an LEA is not required to keep  
708 documentation on file after the verification is completed.

709 (6) If a school denies a student or parent request for a fee waiver, the school shall provide  
710 the student or parent:

711 (a) the school's written decision to deny a waiver; and

712 (b) the procedure to appeal in accordance with LEA policy.

713 Section 12. Section **53G-7-506**, which is renumbered from Section 53G-7-602 is renumbered  
714 and amended to read:

715 ~~[53G-7-602]~~ **53G-7-506. (Effective 05/01/24). State policy on providing free textbooks.**

716 (1) It is the public policy of this state that public education shall be free.

717 (2) A student may not be denied an education because of economic inability to purchase  
718 textbooks necessary for advancement in or graduation from the public school system.

719 (3) (a) Beginning with the ~~[2022-23]~~ 2024-2025 school year, an LEA~~[:]~~

720 ~~[(i) except as provided in Subsection (3)(a)(ii), may not sell textbooks or otherwise~~

721 ~~charge a fee for textbooks or the maintenance costs of school equipment; and (ii)]~~

722 may only charge a fee for a textbook required for an Advanced Placement,

723 International Baccalaureate, or, as described in Section 53E-10-302, a concurrent

724 enrollment course.

725 (b) The LEA shall waive a fee described in Subsection ~~[(3)(a)(ii)]~~ (3)(a) in full ~~[or in part]~~

726 if a student qualifies for a waiver in accordance with Section 53G-7-504.

727 Section 13. Section **53G-7-507**, which is renumbered from Section 53G-7-603 is renumbered  
728 and amended to read:

729 ~~[53G-7-603]~~ **53G-7-507. (Effective 05/01/24). Purchase of textbooks -- Textbooks provided**  
730 **to**

**teachers.**

731 (1) An LEA governing board may purchase textbooks directly from the textbook publisher  
732 at prices and terms approved by the state board.

733 (2) An LEA governing board shall purchase each textbook necessary for a teacher to  
734 conduct ~~[his or her]~~ the teacher's class.

735 (3) An LEA may pay the LEA's cost of furnishing textbooks from school operating funds,  
736 the textbook fund, or from other available funds.

737 (4) A textbook remains the property of the LEA.

738 Section 14. Section **53G-9-803** is amended to read:

739 **53G-9-803 (Effective 05/01/24). Remediation programs for secondary students.**

- 740 (1) For purposes of this section:
- 741 (a) "Secondary school" means a school that provides instruction to students in grades 7,
- 742 8, 9, 10, 11, or 12.
- 743 (b) "Secondary school student":
- 744 (i) means a student enrolled in a secondary school; and
- 745 (ii) includes a student in grade 6 if the student attends a secondary school.
- 746 (2) A school district or charter school shall implement programs for secondary school
- 747 students to attain the competency levels and graduation requirements established by the
- 748 state board.
- 749 (3) (a) A school district or charter school shall establish remediation programs for
- 750 secondary school students who do not meet competency levels in English,
- 751 mathematics, science, or social studies.
- 752 (b) Participation in the programs is mandatory for secondary school students who fail to
- 753 meet the competency levels based on classroom performance.
- 754 (4) Secondary school students who require remediation under this section may not be
- 755 advanced to the following class in subject sequences until ~~[they meet]~~ the student meets
- 756 the required competency level for the subject or complete the required remediation
- 757 program, except that a school district or charter school may allow secondary school
- 758 students requiring remediation who would otherwise be scheduled to enter ~~[their]~~ the
- 759 student's first year of high school to complete ~~[their]~~ the student's remediation program
- 760 during that first year.
- 761 (5) (a) Remediation programs provided under this section should not be unnecessarily
- 762 lengthy or repetitive.
- 763 (b) A secondary school student need not repeat an entire class if remediation can
- 764 reasonably be achieved through other means.
- 765 (6) A school district or charter school may charge secondary school students a fee to
- 766 participate in the remediation programs unless the secondary school student is in grade 6.

767 Section 15. Section **53G-10-503** is amended to read:

768 **53G-10-503 (Effective 05/01/24). Driver education funding -- Reimbursement of**

769 **a local education agency for driver education class expenses -- Limitations -- Excess**

770 **funds -- Student fees.**

- 771 (1) (a) Except as provided in Subsection (1)(b), a local education agency that provides
- 772 driver education shall fund the program solely through:
- 773 (i) funds provided from the Automobile Driver Education Tax Account in the

- 774 Uniform School Fund as created under Section 41-1a-1205; and  
775 (ii) student fees collected by each school.
- 776 (b) In determining the cost of driver education, a local education agency may exclude:  
777 (i) the full-time equivalent cost of a teacher for a driver education class taught during  
778 regular school hours; and  
779 (ii) classroom space and classroom maintenance.
- 780 (c) A local education agency may not use any additional school funds beyond those  
781 allowed under Subsection (1)(b) to subsidize driver education.
- 782 (2) (a) The state superintendent shall, prior to September 2nd following the school year  
783 during which it was expended, or may at earlier intervals during that school year,  
784 reimburse each local education agency that applied for reimbursement in accordance  
785 with this section.
- 786 (b) A local education agency that maintains driver education classes that conform to this  
787 part and the rules prescribed by the state board may apply for reimbursement for the  
788 actual cost of providing the behind-the-wheel and observation training incidental to  
789 those classes.
- 790 (3) Under the state board's supervision for driver education, a local education agency may:  
791 (a) employ personnel who are not licensed by the state board under Section 53E-6-201;  
792 or  
793 (b) contract with private parties or agencies licensed under Section 53-3-504 for the  
794 behind-the-wheel phase of the driver education program.
- 795 (4) The reimbursement amount shall be paid out of the Automobile Driver Education Tax  
796 Account in the Uniform School Fund and may not exceed:  
797 (a) \$100 per student who has completed driver education during the school year;  
798 (b) \$30 per student who has only completed the classroom portion in the school during  
799 the school year; or  
800 (c) \$70 per student who has only completed the behind-the-wheel and observation  
801 portion in the school during the school year.
- 802 (5) If the amount of money in the account at the end of a school year is less than the total of  
803 the reimbursable costs, the state superintendent shall allocate the money to each local  
804 education agency in the same proportion that the local education agency's reimbursable  
805 costs bear to the total reimbursable costs of all local education agencies.
- 806 (6) If the amount of money in the account at the end of any school year is more than the  
807 total of the reimbursement costs provided under Subsection (4), the state superintendent



- 808 may allocate the excess funds to local education agencies:
- 809 (a) to reimburse each local education agency that applies for reimbursement of the cost
- 810 of a fee waived under Section 53G-7-504 for driver education; and
- 811 (b) to aid in the procurement of equipment and facilities which reduce the cost of
- 812 behind-the-wheel instruction.
- 813 (7) (a) A local school board shall, in accordance with Chapter 7, Part 5, Student Fees,
- 814 establish the student fee for driver education for the local education agency.
- 815 (b) Student fees shall be reasonably associated with the costs of driver education that
- 816 are not otherwise covered by reimbursements and allocations made under this section.
- 817 Section 16. Section **63I-2-253** is amended to read:
- 818 **63I-2-253 (Effective 05/01/24) (Superseded 07/01/24). Repeal dates: Titles 53**
- 819 **through 53G.**
- 820 (1) Section 53-1-118 is repealed on July 1, 2024.
- 821 (2) Section 53-1-120 is repealed on July 1, 2024.
- 822 (3) Section 53-7-109 is repealed on July 1, 2024.
- 823 [~~(4) Section 53-22-104 is repealed December 31, 2023.~~]
- 824 [(5)] (4) Section 53B-6-105.7 is repealed July 1, 2024.
- 825 [(6)] (5) Section 53B-7-707 regarding performance metrics for technical colleges is repealed
- 826 July 1, 2023.
- 827 [(7)] (6) Section 53B-8-114 is repealed July 1, 2024.
- 828 [(8)] (7) The following provisions, regarding the Regents' scholarship program, are repealed
- 829 on July 1, 2023:
- 830 (a) in Subsection 53B-8-105(12), the language that states, "or any scholarship
- 831 established under Sections 53B-8-202 through 53B-8-205";
- 832 (b) Section 53B-8-202;
- 833 (c) Section 53B-8-203;
- 834 (d) Section 53B-8-204; and
- 835 (e) Section 53B-8-205.
- 836 [(9)] (8) Section 53B-10-101 is repealed on July 1, 2027.
- 837 [(10)] (9) Subsection 53E-1-201(1)(s) regarding the report by the Educational Interpretation
- 838 and Translation Services Procurement Advisory Council is repealed July 1, 2024.
- 839 [(11)] (10) Section 53E-1-202.2, regarding a Public Education Appropriations
- 840 Subcommittee evaluation and recommendations, is repealed January 1, 2024.
- 841 [(12)] (11) Section 53F-2-209, regarding local education agency budgetary flexibility, is

- 842 repealed July 1, 2024.
- 843 [(13)] (12) Subsection 53F-2-314(4), relating to a one-time expenditure between the at-risk  
844 WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.
- 845 [(14)] (13) Section 53F-2-524, regarding teacher bonuses for extra work assignments, is  
846 repealed July 1, 2024.
- 847 [(15)] (14) Section 53F-5-221, regarding a management of energy and water pilot program,  
848 is repealed July 1, 2028.
- 849 [(16)] (15) Section 53F-9-401 is repealed on July 1, 2024.
- 850 [(17)] (16) Section 53F-9-403 is repealed on July 1, 2024.
- 851 [(18)] (17) On July 1, 2023, when making changes in this section, the Office of Legislative  
852 Research and General Counsel shall, in addition to the office's authority under Section  
853 36-12-12, make corrections necessary to ensure that sections and subsections identified  
854 in this section are complete sentences and accurately reflect the office's perception of the  
855 Legislature's intent.
- 856 Section 17. Section **63I-2-253** is amended to read:
- 857 **63I-2-253 (Effective 07/01/24). Repeal dates: Titles 53 through 53G.**
- 858 (1) Subsection 53-1-104(1)(b), regarding the Air Ambulance Committee, is repealed July 1,  
859 2024.
- 860 (2) Section 53-1-118 is repealed on July 1, 2024.
- 861 (3) Section 53-1-120 is repealed on July 1, 2024.
- 862 (4) Section 53-2d-107, regarding the Air Ambulance Committee, is repealed July 1, 2024.
- 863 (5) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection 53-2d-702(1)(a)  
864 is amended to read:
- 865 "(a) provide the patient or the patient's representative with the following information  
866 before contacting an air medical transport provider:
- 867 (i) which health insurers in the state the air medical transport provider contracts with;  
868 (ii) if sufficient data is available, the average charge for air medical transport services for a  
869 patient who is uninsured or out of network; and  
870 (iii) whether the air medical transport provider balance bills a patient for any charge not paid  
871 by the patient's health insurer; and["."] ."
- 872 (6) Section 53-7-109 is repealed on July 1, 2024.
- 873 [~~(7) Section 53-22-104 is repealed December 31, 2023.~~]
- 874 [(8)] (7) Section 53B-6-105.7 is repealed July 1, 2024.
- 875 [(9)] (8) Section 53B-7-707 regarding performance metrics for technical colleges is repealed

876 July 1, 2023.

877 [~~(10)~~] (9) Section 53B-8-114 is repealed July 1, 2024.

878 [~~(11)~~] (10) The following provisions, regarding the Regents' scholarship program, are

879 repealed on July 1, 2023:

880 (a) in Subsection 53B-8-105(12), the language that states, "or any scholarship

881 established under Sections 53B-8-202 through 53B-8-205";

882 (b) Section 53B-8-202;

883 (c) Section 53B-8-203;

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

885 (e) Section 53B-8-205.

886 [~~(12)~~] (11) Section 53B-10-101 is repealed on July 1, 2027.

887 [~~(13)~~] (12) Subsection 53E-1-201(1)(s) regarding the report by the Educational

888 Interpretation and Translation Services Procurement Advisory Council is repealed July

889 1, 2024.

890 [~~(14)~~] (13) Section 53E-1-202.2, regarding a Public Education Appropriations

891 Subcommittee evaluation and recommendations, is repealed January 1, 2024.

892 [~~(15)~~] (14) Section 53F-2-209, regarding local education agency budgetary flexibility, is

893 repealed July 1, 2024.

894 [~~(16)~~] (15) Subsection 53F-2-314(4), relating to a one-time expenditure between the at-risk

895 WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.

896 [~~(17)~~] (16) Section 53F-2-524, regarding teacher bonuses for extra work assignments, is

897 repealed July 1, 2024.

898 [~~(18)~~] (17) Section 53F-5-221, regarding a management of energy and water pilot program,

899 is repealed July 1, 2028.

900 [~~(19)~~] (18) Section 53F-9-401 is repealed on July 1, 2024.

901 [~~(20)~~] (19) Section 53F-9-403 is repealed on July 1, 2024.

902 [~~(21)~~] (20) On July 1, 2023, when making changes in this section, the Office of Legislative

903 Research and General Counsel shall, in addition to the office's authority under Section

904 36-12-12, make corrections necessary to ensure that sections and subsections identified

905 in this section are complete sentences and accurately reflect the office's perception of the

906 Legislature's intent.

907 Section 18. **Repealer.**

908 This bill repeals:

909 Section **53G-7-601, (Effective 05/01/24)Definitions.**

910 Section 19. **FY 2025 Appropriation.**

911 The following sums of money are appropriated for the fiscal year beginning July 1,  
 912 2024, and ending June 30, 2025. These are additions to amounts previously appropriated  
 913 for fiscal year 2025.

914 Subsection 19(a) **Operating and Capital Budgets**

915 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the  
 916 Legislature appropriates the following sums of money from the funds or accounts  
 917 indicated for the use and support of the government of the state of Utah.

918 ITEM 1 To State Board of Education - State Board and Administrative Operations

919 From Public Education Economic Stabilization

920 Restricted Account, One-time \$35,537,800

921 Schedule of Programs:

922 Financial Operations \$35,537,800

923 The Legislature intends that the State Board of Education use the \$35,537,800 one-time  
 924 appropriated funds from the Public Education Economic Stabilization Restricted  
 925 Account to be distributed over three years, beginning July 1, 2025, and ending June 30,  
 926 2028, to mitigate local revenue impacts associated with implementing House Bill 415,  
 927 School Fees Amendments, by local education agencies.

928 Section 20. **Effective date.**

929 This bill takes effect on May 1, 2024 with the exception of Section 63I-2-253

930 (Effective 07/01/24), which takes effect on July 1, 2024.