

30 Enhancement Program;

31 ▶ requires the governor to notify the Legislature, and request the Legislature to
32 appropriate money to cover a shortfall of a qualifying charter school's debt service
33 reserve fund;

34 ▶ limits the amount of bonds that may be issued under the Charter School Credit
35 Enhancement Program;

36 ▶ defines terms; and

37 ▶ makes technical changes.

38 **Money Appropriated in this Bill:**

39 This bill appropriates:

- 40 ▶ to the State Board of Education - Charter School Reserve Account, as a one-time
41 appropriation for fiscal year 2012-13;
- 42 • from the Education Fund, \$3,000,000.

43 **Other Special Clauses:**

44 This bill takes effect on July 1, 2012.

45 **Utah Code Sections Affected:**

46 AMENDS:

47 **11-17-20**, as last amended by Laws of Utah 2008, Chapter 382

48 **53A-1a-509**, as last amended by Laws of Utah 2008, Chapter 382

49 **53A-1a-510**, as last amended by Laws of Utah 2008, Chapter 382

50 **53A-20b-101**, as enacted by Laws of Utah 2007, Chapter 167

51 **53A-20b-102**, as enacted by Laws of Utah 2007, Chapter 167

52 **53A-20b-103**, as last amended by Laws of Utah 2010, Chapter 286

53 **53A-20b-104**, as enacted by Laws of Utah 2007, Chapter 167

54 **53A-20b-105**, as enacted by Laws of Utah 2007, Chapter 167

55 **63J-7-102**, as last amended by Laws of Utah 2011, Chapter 370

56 ENACTS:

57 **53A-20b-201**, Utah Code Annotated 1953

- 58 **53A-20b-202**, Utah Code Annotated 1953
- 59 **53A-20b-203**, Utah Code Annotated 1953
- 60 **53A-20b-204**, Utah Code Annotated 1953
- 61 **53A-20b-301**, Utah Code Annotated 1953



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

64 Section 1. Section **11-17-20** is amended to read:

65 **11-17-20. Power of the Utah Charter School Finance Authority.**

66 (1) The [State] Utah Charter School Finance Authority may exercise the powers
67 granted to municipalities and counties by this chapter, subject to the same limitations as that
68 imposed on a municipality or county under the chapter, except as provided by Title 53A,
69 Chapter 20b, [State] Part 1, Utah Charter School Finance Authority Act.

70 (2) As used in this chapter, "governing body" when applied to the [State] Utah Charter
71 School Finance Authority means the authority's governing board as described in Section
72 53A-20b-103.

73 (3) Notwithstanding Section 11-17-15, a charter school that receives financing under
74 this chapter is subject to Title 63G, Chapter 6, Utah Procurement Code.

75 Section 2. Section **53A-1a-509** is amended to read:

76 **53A-1a-509. Noncompliance -- Rulemaking.**

77 (1) [~~(a)~~] If a charter school is found to be out of compliance with the requirements of
78 Section 53A-1a-507 or the school's charter, the chartering entity shall notify the [~~school's~~
79 ~~governing board~~] following in writing that the charter school has a reasonable time to remedy
80 the deficiency, except as otherwise provided in Subsection 53A-1a-510[~~(3)~~(~~a~~):](4):

81 (a) the governing body of the charter school; and

82 (b) if the charter school is a qualifying charter school with outstanding bonds issued in
83 accordance with Chapter 20b, Part 2, Charter School Credit Enhancement Program, the Utah
84 Charter School Finance Authority.

85 [~~(b)~~] (2) If the charter school does not remedy the deficiency within the established

86 timeline, the chartering entity may:

87 (a) subject to the requirements of Subsection (4), take one or more of the following
88 actions:

89 (i) remove a charter school director or finance officer;

90 (ii) remove a governing board [~~members;~~] member; or

91 (iii) appoint an interim director or mentor to work with the charter school; or

92 [~~(iv)~~] (b) subject to the requirements of Section 53A-1a-510, terminate the school's
93 charter.

94 [~~(c)~~] (3) The costs of an interim director or mentor appointed pursuant to Subsection
95 [~~(1)~~(b)] (2)(a) shall be paid from the funds of the charter school for which the interim director
96 or mentor is working.

97 (4) The chartering entity shall notify the Utah Charter School Finance Authority before
98 the chartering entity takes an action described in Subsections (2)(a)(i) through (iii) if the charter
99 school is a qualifying charter school with outstanding bonds issued in accordance with Chapter
100 20b, Part 2, Charter School Credit Enhancement Program.

101 [~~(2)~~] (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
102 Act, the State Board of Education shall make rules:

103 (a) specifying the timeline for remedying deficiencies under Subsection (1)[~~(a)~~]; and

104 (b) ensuring the compliance of a charter school with its approved charter.

105 Section 3. Section **53A-1a-510** is amended to read:

106 **53A-1a-510. Termination of a charter.**

107 (1) [~~A~~] Subject to the requirements of Subsection (3), a chartering entity may terminate
108 a school's charter for any of the following reasons:

109 (a) failure of the charter school to meet the requirements stated in the charter;

110 (b) failure to meet generally accepted standards of fiscal management;

111 (c) subject to Subsection [~~(6)~~] (8), failure to make adequate yearly progress under the
112 No Child Left Behind Act of 2001, 20 U.S.C. Sec. 6301 et seq.;

113 (d) violation of requirements under this part or another law; or

114 (e) other good cause shown.

115 (2) (a) The chartering entity shall notify the ~~[governing body of the school]~~ following
116 of the proposed termination in writing, state the grounds for the termination, and stipulate that
117 the governing body may request an informal hearing before the chartering entity[-]:

118 (i) the governing body of the charter school; and

119 (ii) if the charter school is a qualifying charter school with outstanding bonds issued in
120 accordance with Chapter 20b, Part 2, Charter School Credit Enhancement Program, the Utah
121 Charter School Finance Authority.

122 (b) ~~[The]~~ Except as provided in Subsection (2)(e), the chartering entity shall conduct
123 the hearing in accordance with Title 63G, Chapter 4, Administrative Procedures Act, within 30
124 days after receiving a written request under Subsection (2)(a).

125 (c) If the chartering entity, by majority vote, approves a motion to terminate a charter
126 school, the governing body of the charter school may appeal the decision to the State Board of
127 Education.

128 (d) (i) The State Board of Education shall hear an appeal of a termination made
129 pursuant to Subsection (2)(c).

130 (ii) The State Board of Education's action is final action subject to judicial review.

131 (e) (i) If the chartering entity proposes to terminate the charter of a qualifying charter
132 school with outstanding bonds issued in accordance with Chapter 20b, Part 2, Charter School
133 Credit Enhancement Program, the chartering entity shall conduct a hearing described in
134 Subsection (2)(b) 120 days or more after notifying the following of the proposed termination:

135 (A) the governing body of the qualifying charter school; and

136 (B) the Utah Charter School Finance Authority.

137 (ii) Prior to the hearing described in Subsection (2)(e)(i), the Utah Charter School
138 Finance Authority shall meet with the chartering entity to determine whether the deficiency
139 may be remedied in lieu of termination of the qualifying charter school's charter.

140 (3) A chartering entity may not terminate the charter of a qualifying charter school with
141 outstanding bonds issued in accordance with Chapter 20b, Part 2, Charter School Credit

142 Enhancement Program, without mutual agreement of the Utah Charter School Finance
143 Authority and the chartering entity.

144 [~~3~~] (4) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
145 Act, the State Board of Education shall make rules that require a charter school to report any
146 threats to the health, safety, or welfare of its students to the State Charter School Board in a
147 timely manner.

148 (b) The rules under Subsection [~~3~~] (4)(a) shall also require the charter school report
149 to include what steps the charter school has taken to remedy the threat.

150 [~~4~~ ~~The~~] (5) Subject to the requirements of Subsection (3), the chartering entity may
151 terminate a charter immediately if good cause has been shown or if the health, safety, or
152 welfare of the students at the school is threatened.

153 [~~5~~] (6) If a charter is terminated during a school year:

154 (a) the school district in which the charter school is located may assume operation of
155 the school; or

156 (b) a private management company may be hired to operate the charter school.

157 [~~6~~] (7) (a) If a charter is terminated, a student who attended the school may apply to
158 and shall be enrolled in another public school under the enrollment provisions of Title 53A,
159 Chapter 2, Part 2, District of Residency, subject to space availability.

160 (b) Normal application deadlines shall be disregarded under Subsection [~~6~~] (7)(a).

161 [~~7~~ ~~A~~] (8) Subject to the requirements of Subsection (3), a chartering entity may
162 terminate a charter pursuant to Subsection (1)(c) under the same circumstances that local
163 educational agencies are required to implement alternative governance arrangements under 20
164 U.S.C. Sec. 6316.

165 Section 4. Section **53A-20b-101** is amended to read:

166 **CHAPTER 20b. CHARTER SCHOOL FINANCING**

167 **Part 1. Utah Charter School Finance Authority**

168 **53A-20b-101. Title.**

169 This chapter is known as the [~~State~~] "Charter School [~~Finance Authority~~] Financing

170 Act."

171 Section 5. Section **53A-20b-102** is amended to read:

172 **53A-20b-102. Definitions.**

173 As used in this chapter:

174 (1) "Annual charter school enrollment" means the total enrollment of all students in the
175 state enrolled in a charter school in grades kindergarten through grade 12, based on October 1
176 enrollment counts.

177 (2) "Annual state enrollment" means the total enrollment of all students in the state
178 enrolled in a public school in grades kindergarten through grade 12, based on October 1
179 enrollment counts.

180 ~~[(1)]~~ (3) "Authority" means the ~~[State]~~ Utah Charter School Finance Authority created
181 by this ~~[chapter]~~ part.

182 (4) "Board" means the governing board of the authority described in Section
183 53A-20b-103.

184 (5) "Charter school" means a school created under Title 53A, Chapter 1a, Part 5, The
185 Utah Charter Schools Act.

186 (6) "Credit enhancement program" means the Charter School Credit Enhancement
187 Program established in Part 2, Charter School Credit Enhancement Program.

188 (7) "Debt service reserve fund" means the reserve fund created or established by, or for
189 the benefit of, a qualifying charter school for the purpose of paying principal of and interest on
190 bonds issued under the credit enhancement program as the payments become due and other
191 money of the qualifying charter school is not available to make the payments.

192 (8) "Debt service reserve fund requirement" means, as of a particular date of
193 computation, and with respect to a particular issue of bonds, the amount required to be on
194 deposit in the debt service reserve fund, which amount:

195 (a) may be a sum certain or as set forth in a formula; and

196 (b) may not be less than the maximum annual debt service requirement for the related
197 bonds.

198 ~~[(2)]~~ (9) (a) "Obligations" mean any notes, debentures, revenue bonds, or other
199 evidences of financial indebtedness, except as provided in Subsection ~~[(2)]~~ (9)(b).

200 (b) "Obligations" do not include general obligation bonds.

201 ~~[(3)]~~ (10) "Project" means:

202 (a) any building, structure, or property owned, ~~[or]~~ to be acquired, or used by a charter
203 school for any of its educational purposes and the related appurtenances, easements,
204 rights-of-way, improvements, paving, utilities, landscaping, parking facilities, and lands; or

205 (b) any capital equipment owned, ~~[or]~~ to be acquired, or used by a charter school for
206 any of its educational purposes, interests in land, and grounds, together with the personal
207 property necessary, convenient, or appurtenant to them.

208 (11) "Qualifying charter school" means a charter school that:

209 (a) meets standards adopted by the authority for participation in the credit enhancement
210 program; and

211 (b) is designated by the authority as a qualifying charter school for purposes of
212 participation in the credit enhancement program.

213 (12) "Reserve account" means the Charter School Reserve Account created in Section
214 53A-20b-301.

215 Section 6. Section **53A-20b-103** is amended to read:

216 **53A-20b-103. Utah Charter School Finance Authority created -- Members --**
217 **Compensation -- Services.**

218 (1) There is created a body politic and corporate known as the ~~[State]~~ Utah Charter
219 School Finance Authority. The authority is created to provide an efficient and cost-effective
220 method of financing charter school facilities.

221 (2) The governing board of the authority shall be composed of:

222 (a) the governor or the governor's designee;

223 (b) the state treasurer; and

224 (c) the state superintendent of public instruction or the state superintendent's designee.

225 (3) A member may not receive compensation or benefits for the member's service, but

226 may receive per diem and travel expenses in accordance with:

227 (a) Section 63A-3-106;

228 (b) Section 63A-3-107; and

229 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and

230 63A-3-107.

231 (4) Upon request, the State Board of Education shall provide staff support to the

232 authority.

233 Section 7. Section **53A-20b-104** is amended to read:

234 **53A-20b-104. Powers and duties of authority.**

235 (1) The authority shall have perpetual succession as a body politic and corporate.

236 (2) The authority may:

237 (a) sue and be sued in its own name;

238 (b) have, and alter at will, an official seal;

239 (c) contract with experts, advisers, consultants, and agents for needed services;

240 (d) receive and accept aid or contributions from any source, including the United States

241 or this state, in the form of money, property, labor, or other things of value to be held, used,

242 and applied to carry out the purposes of this part, subject to the conditions upon which the aid

243 and contributions are made, for any purpose consistent with this part;

244 (e) exercise the powers granted to municipalities and counties pursuant to Title 11,

245 Chapter 17, Utah Industrial Facilities and Development Act, including the power to borrow

246 money and issue obligations, including refunding obligations, subject to the same limitations as

247 that imposed on a municipality or county under the act, except:

248 (i) the authority may only exercise powers under the act to finance or refinance a

249 project as defined in Section 53A-20b-102; and

250 (ii) the authority's area of operation shall include all areas of the state;

251 (f) employ advisers, consultants, and agents, including financial experts, independent

252 legal counsel, and any advisers, consultants, and agents as may be necessary in its judgment

253 and fix their compensation;

254 (g) make and execute contracts and other instruments necessary or convenient for the
255 performance of its duties and the exercise of its powers and functions; [~~and~~]

256 (h) in accordance with Section 53A-20b-201, designate a charter school as a qualifying
257 charter school for purposes of participation in the credit enhancement program; and

258 [~~(h)~~] (i) have and exercise any other powers or duties that are necessary or appropriate
259 to carry out and effectuate the purposes of this chapter.

260 (3) [~~The State~~] Except as provided in Part 2, Charter School Credit Enhancement
261 Program, the Utah Charter School Finance Authority may not exercise power in any manner
262 which would create general or moral obligations of the state or of any agency, department, or
263 political subdivision of the state.

264 Section 8. Section **53A-20b-105** is amended to read:

265 **53A-20b-105. Limited obligations.**

266 [~~Bonds~~] Except as provided in Part 2, Charter School Credit Enhancement Program,
267 bonds, notes, and other obligations issued by the authority:

268 (1) do not constitute a debt, moral obligation, or liability of the state, or of any county,
269 city, town, school district, or any other political subdivision of the state;

270 (2) do not constitute the loan of credit of the state or of any county, city, town, school
271 district, or any other political subdivision of the state; and

272 (3) may not be paid from funds other than loan payments or lease revenues received
273 from a charter school or other funds pledged by a charter school.

274 Section 9. Section **53A-20b-201** is enacted to read:

275 **Part 2. Charter School Credit Enhancement Program**

276 **53A-20b-201. Charter School Credit Enhancement Program -- Standards for the**
277 **designation of qualifying charter schools -- Debt service reserve fund requirements.**

278 (1) There is created the Charter School Credit Enhancement Program to assist
279 qualifying charter schools in obtaining favorable financing by providing a means of
280 replenishing a qualifying charter school's debt service reserve fund.

281 (2) The authority shall establish standards for a charter school to be designated as a

282 qualifying charter school.

283 (3) In establishing the standards described in Subsection (2) the authority shall
284 consider:

285 (a) whether a charter school has received an investment grade rating, independent of
286 any rating enhancement resulting from the issuance of bonds pursuant to the credit
287 enhancement program;

288 (b) the location of the charter school's project;

289 (c) the operating history of the charter school;

290 (d) the financial strength of the charter school; and

291 (e) any other criteria the authority determines are relevant.

292 (4) The bonds issued by the authority for a qualifying charter school are not an
293 indebtedness of the state or of the authority but are special obligations payable solely from:

294 (a) the revenues or other funds pledged by the qualifying charter school; and

295 (b) amounts appropriated by the Legislature pursuant to Subsection (9).

296 (5) The authority shall notify the chartering entity of a charter school that the charter
297 school is participating in the credit enhancement program if the authority:

298 (a) designates the charter school as a qualifying charter school; and

299 (b) issues bonds for the qualifying charter school under the credit enhancement
300 program.

301 (6) One or more debt service reserve funds shall be established for a qualifying charter
302 school with respect to bonds issued pursuant to the credit enhancement program.

303 (7) (a) Except as provided in Subsection (7)(b), money in a debt service reserve fund
304 may not be withdrawn from the debt service reserve fund if the amount withdrawn would
305 reduce the level of money in the debt service reserve fund to less than the debt service reserve
306 fund requirement.

307 (b) So long as the applicable bonds issued under the credit enhancement program
308 remain outstanding, money in a debt service reserve fund may be withdrawn in an amount that
309 would reduce the level of money in the debt service reserve fund to less than the debt service

310 reserve fund requirement if the money is withdrawn for the purpose of:

311 (i) paying the principal of, redemption price of, or interest on a bond when due and if
312 no other money of the qualifying charter school is available to make the payment, as
313 determined by the authority; or

314 (ii) paying any redemption premium required to be paid when the bonds are redeemed
315 prior to maturity if no bonds will remain outstanding upon payment from the funds in the
316 qualifying charter school's debt service reserve fund.

317 (8) Money in a qualifying charter school's debt service reserve fund that exceeds the
318 debt service reserve fund requirement may be withdrawn by the qualifying charter school.

319 (9) (a) The authority shall annually, on or before December 1, certify to the governor
320 the amount, if any, required to restore amounts on deposit in the debt service reserve funds of
321 qualifying charter schools to the respective debt service reserve fund requirements.

322 (b) The governor shall request from the Legislature an appropriation of the certified
323 amount to restore amounts on deposit in the debt service reserve funds of qualifying charter
324 schools to the respective debt service reserve fund requirements.

325 (c) The Legislature may appropriate money to the authority to restore amounts on
326 deposit in the debt service reserve funds of qualifying charter schools to the respective debt
327 service reserve fund requirements.

328 (d) A qualifying charter school that receives money from an appropriation to restore
329 amounts on deposit in a debt service reserve fund to the debt service reserve fund requirement,
330 shall repay the state at the time and in the manner as the authority shall require.

331 (10) The authority may create and establish other funds for its purposes.

332 Section 10. Section **53A-20b-202** is enacted to read:

333 **53A-20b-202. Charter School Reserve Account contribution requirements for**
334 **qualifying charter schools.**

335 (1) When bonds are issued under the credit enhancement program for a qualifying
336 charter school, the qualifying charter school shall contribute money to the reserve account in
337 the amount determined as provided in Subsection (2).

338 (2) The authority shall determine the up-front and ongoing requirements for
339 contributions of money to the reserve account for each qualifying charter school.

340 Section 11. Section **53A-20b-203** is enacted to read:

341 **53A-20b-203. Bond issuance.**

342 (1) (a) The state may not alter, impair, or limit the rights of bondholders or persons
343 contracting with a qualifying charter school until the bonds, including interest and other
344 contractual obligations, are fully met and discharged.

345 (b) Nothing in this chapter precludes an alteration, impairment, or limitation if
346 provision is made by law for the protection of bondholders or persons entering into contracts
347 with a qualifying charter school.

348 (2) The authority may require a qualifying charter school to vest in the authority the
349 right to enforce any covenant made to secure bonds issued under the credit enhancement
350 program by making appropriate provisions in the indenture related to the qualifying charter
351 school's bonds.

352 (3) The authority may require a qualifying charter school to make covenants and
353 agreements in indentures or in a reimbursement agreement to protect the interests of the state
354 and to secure repayment to the state of any money received by the qualifying charter school
355 from an appropriation to restore amounts deposited in the qualifying charter school's debt
356 service reserve fund to the debt service reserve fund requirement.

357 (4) The authority may charge a fee to administer the issuance of bonds for a qualifying
358 charter school.

359 Section 12. Section **53A-20b-204** is enacted to read:

360 **53A-20b-204. Limitation on participation in Charter School Credit Enhancement**
361 **Program.**

362 (1) In accordance with Subsection (2), on or before January 1 of each year, the
363 authority shall determine the credit enhancement program's bond issuance limitation.

364 (2) The authority may not issue bonds for a qualifying charter school under the credit
365 enhancement program if the total par amount outstanding under the program would exceed an

366 amount equal to the product of:

367 (a) 1.3;

368 (b) an amount equal to the quotient of:

369 (i) annual charter school enrollment; divided by

370 (ii) annual state enrollment; and

371 (c) the total par amount then outstanding under the school bond guarantee program

372 established in Chapter 28, Utah School Bond Guaranty Act.

373 Section 13. Section **53A-20b-301** is enacted to read:

374 **Part 3. Charter School Reserve Account**

375 **53A-20b-301. Charter School Reserve Account.**

376 (1) There is created within the Education Fund a restricted account known as the
377 "Charter School Reserve Account."

378 (2) The reserve account consists of:

379 (a) money credited to the account pursuant to Section 53A-20b-202;

380 (b) money appropriated to the account by the Legislature;

381 (c) all income and interest derived from the deposit and investment of money in the
382 account;

383 (d) federal grants; and

384 (e) private donations.

385 (3) Money in the reserve account may be appropriated by the Legislature to:

386 (a) restore amounts on deposit in a debt service reserve fund of a qualifying charter
387 school to the debt service reserve fund requirement;

388 (b) pay fees and expenses of the authority;

389 (c) pay the principal of and interest on bonds issued for a qualifying charter school; or

390 (d) otherwise provide financial assistance to a qualifying charter school.

391 Section 14. Section **63J-7-102** is amended to read:

392 **63J-7-102. Scope and applicability of chapter.**

393 (1) Except as provided in Subsection (2), and except as otherwise provided by a statute

394 superseding provisions of this chapter by explicit reference to this chapter, the provisions of
395 this chapter apply to each agency and govern each grant received on or after May 5, 2008.

396 (2) This chapter does not govern:

397 (a) a grant deposited into a General Fund restricted account;

398 (b) a grant deposited into a Trust and Agency Fund as defined in Section 51-5-4;

399 (c) a grant deposited into an Enterprise Fund as defined in Section 51-5-4;

400 (d) a grant made to the state without a restriction or other designated purpose that is
401 deposited into the General Fund as free revenue;

402 (e) a grant made to the state that is restricted only to "education" and that is deposited
403 into the Education Fund or Uniform School Fund as free revenue;

404 (f) in-kind donations;

405 (g) a tax, fees, penalty, fine, surcharge, money judgment, or other money due the state
406 when required by state law or application of state law;

407 (h) a contribution made under Title 59, Chapter 10, Part 13, Individual Income Tax
408 Contribution Act;

409 (i) a grant received by an agency from another agency or political subdivision;

410 (j) a grant to the Dairy Commission created in Title 4, Chapter 22, Dairy Promotion
411 Act;

412 (k) a grant to the Utah Science Center Authority created in Title 63H, Chapter 3, Utah
413 Science Center Authority;

414 (l) a grant to the Heber Valley Railroad Authority created in Title 63H, Chapter 4,
415 Heber Valley Historic Railroad Authority;

416 (m) a grant to the Utah State Railroad Museum Authority created in Title 63H, Chapter
417 5, Utah State Railroad Museum Authority;

418 (n) a grant to the Utah Housing Corporation created in Title 9, Chapter 4, Part 9, Utah
419 Housing Corporation Act;

420 (o) a grant to the Utah State Fair Corporation created in Title 63H, Chapter 6, Utah
421 State Fair Corporation Act;

422 (p) a grant to the Workers' Compensation Fund created in Title 31A, Chapter 33,
423 Workers' Compensation Fund;

424 (q) a grant to the Utah State Retirement Office created in Title 49, Chapter 11, Utah
425 State Retirement Systems Administration;

426 (r) a grant to the School and Institutional Trust Lands Administration created in Title
427 53C, Chapter 1, Part 2, School and Institutional Trust Lands Administration;

428 (s) a grant to the Utah Communications Agency Network created in Title 63C, Chapter
429 7, Utah Communications Agency Network Act;

430 (t) a grant to the Medical Education Program created in Section 63C-8-102;

431 (u) a grant to the Utah Capital Investment Corporation created in Title 63M, Chapter 1,
432 Part 12, Utah Venture Capital Enhancement Act;

433 (v) a grant to the [~~State~~] Utah Charter School Finance Authority created in Section
434 53A-20b-103;

435 (w) a grant to the State Building Ownership Authority created in Section 63B-1-304;

436 (x) a grant to the Utah Comprehensive Health Insurance Pool created in Section
437 31A-29-104; or

438 (y) a grant to the Military Installation Development Authority created in Section
439 63H-1-201.

440 (3) An agency need not seek legislative review or approval of grants under Part 2,
441 Grant Approval Requirements, if:

442 (a) the governor has declared a state of emergency; and

443 (b) the grant is donated to the agency to assist victims of the state of emergency under
444 Subsection 63K-4-201(1).

445 **Section 15. Appropriation.**

446 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
447 following sums of money are appropriated from resources not otherwise appropriated, or
448 reduced from amounts previously appropriated, out of the funds or accounts indicated for the
449 fiscal year beginning July 1, 2012 and ending June 30, 2013. These are additions to any

450 amounts previously appropriated for fiscal year 2013.
451 To State Board of Education - Charter School Reserve Account
452 From Education Fund, one-time \$3,000,000
453 Schedule of Programs:
454 Charter School Reserve Account \$3,000,000
455 Section 16. **Effective date.**
456 This bill takes effect on July 1, 2012.