

2020 Weekly Legislative Update-Week 4

February 21, 2020

Revised Revenue Projections

The Governor's Office and legislative leaders [announced revised tax revenue projections](#) that set the stage for final budget preparations in the coming weeks. They announced over \$900 million in new revenues, primarily in Income Tax (Education Fund):

	One-Time	Ongoing
(Income Tax) Education Fund	\$323M	\$518M
(Sales Tax) General Fund	\$(12)M	\$92M
Total	\$311M	\$610M

Higher Education Appropriations Subcommittee Prioritization

The [Higher Education Appropriations Subcommittee \(HEAS\)](#) submitted its [list of priority budget requests](#) to the [Executive Appropriations Committee](#) on Friday, totaling over \$52 million in funding requests. The [Board of Regents Budget Priorities](#) were overall well-supported (in HEAS priority order):

Priority:	Requested:	Prioritized:
1. Compensation*		
2. Performance Funding	\$29.5M	\$29.5M
3. Growth Funding	\$3,916,000	\$5M
4. Non-State Funded O&M	\$528,000	\$528,000
5. Utah College Access Advisors	\$3M	\$1,500,000
6. Technical Education Priorities	\$1,754,200	\$1,754,200

**HEAS placed compensation as its top priority, with the same position of the Board of Regents for parity with state employees in salary and benefit adjustments provided by the state legislature.*

HEAS prioritized \$3M in one-time funds intended to support the Board in enlisting outside expertise to explore system wide opportunities for shared institutional services. The Commissioner's office also presented a brief overview on [performance funding](#).

Legislation of Interest:

HB 45, Veterans Education Amendments by Rep. Paul Ray eliminates inequities institutions face in awarding in-state tuition to only those discharged under Chapters 30 and 33 of the GI bill and eliminated the five-year limit since discharge for in-state tuition eligibility of immediate family members who use GI bill benefits. The bill also allows veterans using the Veterans Tuition Gap Program administered by the Board of Regents to receive funds for fees and books, along with tuition. This item is designed to help spend surplus funds appropriated for the program. The bill received unanimous support in both the Senate and House and awaits the Governor's signature.

HB 103, Utah Promise Scholarship Program Amendments by Rep. Derrin Owen makes technical changes to the Utah Promise Scholarship based on feedback from financial aid directors. This corrects an unintended error in ensuring all other state aid be exhausted before tapping funds appropriated to this program, including waivers. The change puts needed flexibility in the use of waivers, with some controls, before state dollars are tapped under this scholarship. The bill has passed both House and Senate unanimously and awaits the Governor's signature.

HB 132, Higher Education Student Speech Rights by Rep. Kim Coleman establishes a specific threshold that determines when student-on-student speech becomes harassment as opposed to protected speech. USHE institutions are concerned the legislation would increase litigation costs to the state and potentially have a chilling effect on free speech on campus. It may put schools in conflict with existing federal guidance and definitions of harassment. The bill passed the House Judiciary Committee, 7-5, and awaits further consideration by the House.

HB 256, Student Aid Amendments by Rep. Karen Kawn requires student applicants to complete the Free application of Federal Student Aid to be eligible for certain financial aid for higher education. This modifies the application process, clarifies the qualifications for student financial aid provided by scholarship or through the state, as well as determines where the financial aid may be applied with schools recognized by the USBE, USHE, and UTECH. This bill passed the House Education Committee and awaits further consideration by the House.

HB 336, Concurrent Enrollment Certificate Pilot Program by Rep. Val Peterson creates the PRIME pilot program to expand access to concurrent enrollment and technical education. The legislation creates a three-tiered program that includes the LAUNCH certificate, DISCOVER breadth certificate, and TRANSFORM general education/technical certificate. The bill awaits a House committee hearing.

SB 80 (1st Sub.), Campus Safety Amendments by Sen. Jani Iwamoto requires the USHE Board of Regents to study and make recommendations for providing public safety services on college and university campuses. This includes determining the relationship between public and campus law enforcement, the process of reporting, disciplinary actions and the potential for additional training. The study will take place during the interim and will require the USHE Board of Regents to present a final report of the study with recommendations to the Education Interim Committee and the Law Enforcement and Criminal Justice Interim Committee. The bill received unanimous support from the House Law Enforcement and Criminal Justice Committee and awaits consideration by the House.

SB 96, Emerging Technology Talent Initiative by Senator Ann Millner creates an initiative that awards proposals submitted to an advisory board under direction of the Board of Regents that expand programs in deep technology (e.g. artificial intelligence, quantum computing, robotics, advanced materials, robotics, secure computing). The bill unanimously passed the Senate and awaits consideration by the House.

SB 111 (1st Sub.), Higher Education Amendments, by Senator Ann Millner is the epochal legislation that revamps the governance structure of higher education in Utah. The bill's primary components include:

- Merge the two current systems of higher education into a single system.
- Establishes a single governing board, its initial composition and process for appointing future members.
- Defines the new board's duties (selection of institutions presidents, requirements related to an institution's authority to establish new programs, etc.).
- Mandates certain transition-related actions of the Board of Regents and the Utah System of Technical Colleges Board of Trustees
- Extends the term of the Higher Education Strategic Planning Commission by one year.

A [press conference](#) of the bill's introduction was held on February 11. Here is a [summary of the legislation](#). The bill the full Senate and awaits further consideration by the House.

SB 117, Higher Education Financial Aid Amendments by Sen. Daniel Hemmert allows for the Regents' Scholarship to be used at private, nonprofit colleges or universities within the state (BYU, LDS Business College, Western Governors University, Westminster College). It also limits the amount of scholarship funding available to those specific kinds of colleges. The bill received unanimous support by the Senate Education Committee and awaits consideration by the full Senate.