IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 269

	BY WAYS AND MEANS COMMITTEE
1 2 3 4 5 6 7	AN ACT RELATING TO EDUCATION; AMENDING SECTION 72-1204, IDAHO CODE, TO REVISE A SUNSET DATE; AMENDING SECTION 72-1205, IDAHO CODE, TO REVISE A SUNSET DATE; REPEALING SECTION 72-1206, IDAHO CODE, RELATING TO THE IN-DEMAND CAREERS FUND; AMENDING SECTION 63-3638, IDAHO CODE, TO REMOVE A PROVI- SION REGARDING THE IN-DEMAND CAREERS FUND; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.
8	Be It Enacted by the Legislature of the State of Idaho:
9 10	SECTION 1. That Section 72-1204, Idaho Code, be, and the same is hereby amended to read as follows:
11 12 13 14 15	72-1204. IDAHO LAUNCH GRANT PROGRAM AND IN-DEMAND CAREERS FUND DEF-INITIONS. (1) As used in this section through section 72-1206, Idaho Code: (a) "Board" means the state board of education. (b) "Council" means the workforce development council established in this chapter.
16 17	(c) "Eligible adult learner" means an Idaho resident who is pursuing education or training for an in-demand career.
18 19	(d) "Eligible coursework" means courses or training necessary for the completion of a participant's declared in-demand career.
20 21 22	(e) "Eligible education expenses" means student tuition and fees at an eligible institution for eligible coursework; however, in no case shall the council reimburse more than eighty percent (80%) of a program's
23 24	total tuition and fees or more than eight thousand dollars $(\$8,000)$, whichever is less.
25 26	(f) "Eligible institution" means a training provider as recognized by the council under the workforce innovation and opportunity act or the
27 28	workforce development training fund. Eligible institution also means a

- community college established pursuant to the provisions of chapter 21, title 33, Idaho Code.
- (g) "Eligible student" means a student who:
 - (i) Is an Idaho resident;

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- (ii) Will graduate from an accredited high school or its equivalent in Idaho as determined by the board beginning with the spring 2024 graduating class;
- (iii) Has enrolled in or applied to an eligible institution and begins enrollment in the fall semester following graduation, unless the council grants an extension for extenuating circumstances such as those outlined in section 72-1205, Idaho Code; and
- (iv) Has used next steps Idaho or an equivalent career exploration program accepted by the council and has completed a career pathway plan that meets the minimum requirements established by the council.

- (h) "Grant" means an amount to be determined by the council that shall not exceed eight thousand dollars (\$8,000) per eligible student.
- (i) "Grant distribution platform" means a digital platform through which grant funds are transferred from the council to the account of a participant to be used for eligible education expenses.
- (j) "In-demand careers" means careers that have a positive economic output for the state of Idaho and increase economic mobility for the people of Idaho. Factors including but not limited to the number of job openings, the rate of job growth, and the length of the training program shall be incorporated to create a matrix of careers and training programs that align to in-demand careers. Careers that require a postbaccalaureate degree for entry into the profession shall not be included in the matrix or as an in-demand career.
- (k) "Participant" means an Idaho resident for whom a grant is awarded under section 72-1205, Idaho Code, and who has met the minimum academic standards of, and has been accepted into, an eligible institution.
- (1) "Program" means the Idaho launch grant program established by section 72-1205, Idaho Code.
- (m) "Resident" means an individual meeting legal residency requirements as defined in section 33-3717B, Idaho Code.
- (2) The provisions of this section shall be null, void, and of no force and effect on and after $\frac{\text{July 1, 2029}}{\text{June 30, 2026}}$.
- SECTION 2. That Section 72-1205, Idaho Code, be, and the same is hereby amended to read as follows:
- 72-1205. IDAHO LAUNCH GRANT PROGRAM. (1) There is hereby established the Idaho launch grant program to be administered by the council according to the provisions of this section. The purpose of the program is to provide education grants for eligible students.
- (2) In order to administer the program, the council shall consult with necessary agencies to:
 - (a) Create and administer, or designate a third party to create and administer, a grant distribution platform;
 - (b) Establish a grant application process for eligible students. To ensure eligible students receive notification prior to postsecondary institution enrollment deadlines, the council may stagger applications so that initial grant awards are announced by December 31 in the year preceding an eligible student's graduation from high school and that additional grant awards be made no later than June 30 of the academic year the eligible student graduates from high school. Additional grant award announcements may be made after such date based on the availability of funds;
 - (c) Award grants to eligible students, subject to legislative appropriation and to the following conditions, beginning with the graduating class of 2025:
 - (i) If eligible student applications exceed available funding in a fiscal year, grant awards shall be prioritized first based on the pursuit of an in-demand career and based on the highest rankings in the matrix established pursuant to section 72-1204(j), Idaho Code;

- (ii) If additional funds remain, prioritization shall then be based on an eligible student's financial need as verified by the Idaho state tax commission using the prior year's tax return, most recent income documents, or other criteria determined by the workforce development council established in this chapter; and
- (iii) If available funding in a fiscal year exceeds eligible students, any unused appropriations may be used in accordance with section 72-1206(4), Idaho Code; and
- (d) Take other such actions as are necessary to implement and enforce the provisions of this section.
- (3) Participants must expend all grant funds within three (3) years of the award date. Any remaining funds after a break in enrollment exceeding six (6) months or unused funds at the end of the three (3) year period shall revert to the in-demand careers fund established in section 72-1206, Idaho Code. The council or its designated staff may grant an extension or exception by demonstrating to the council an extenuating circumstance, including but not limited to religious service, military service, structured volunteer service, or health or medical issues.
- (4) No more than one half (1/2) of the initial grant award may be expended by a participant in any academic year; provided, however, that this subsection shall not apply:
 - (a) To a participant in a program that is less than twelve (12) months in length; or
 - (b) In other extenuating circumstances as determined by the council.
 - (5) Grant awards shall be capped at one (1) grant per eligible student.
- (6) The council shall adopt policies outlining triggering events that may lead to earlier reversion of student grants or repayment grants, including but not limited to unsatisfactory academic progress, expulsion, or transfer to an out-of-state program prior to attainment of a credential or degree. Any reverted or repaid grants shall be paid to the in-demand careers fund established in section 72-1206, Idaho Code.
- (7) The provisions of this section shall be null, void, and of no force and effect on and after $\frac{\text{July 1, 2029}}{\text{June 30, 2026}}$.
- SECTION 3. That Section 72-1206, Idaho Code, be, and the same is hereby repealed.
- SECTION 4. That Section 63-3638, Idaho Code, be, and the same is hereby amended to read as follows:
 - 63-3638. SALES TAX -- DISTRIBUTION. All moneys collected under this chapter, except as may otherwise be required in sections 63-3203, 63-3620F, and 63-3709, Idaho Code, shall be distributed by the state tax commission as follows:
 - (1) An amount of money shall be distributed to the state refund account sufficient to pay current refund claims. All refunds authorized under this chapter by the state tax commission shall be paid through the state refund account, and those moneys are continuously appropriated.
 - (2) Five million dollars (\$5,000,000) per year is continuously appropriated and shall be distributed to the permanent building fund, provided by section 57-1108, Idaho Code.

(3) Four million eight hundred thousand dollars (\$4,800,000) per year is continuously appropriated and shall be distributed to the water pollution control fund established by section 39-3628, Idaho Code.

- (4) An amount equal to the sum required to be certified by the chairman of the Idaho housing and finance association to the state tax commission pursuant to section 67-6211, Idaho Code, in each year is continuously appropriated and shall be paid to any capital reserve fund established by the Idaho housing and finance association pursuant to section 67-6211, Idaho Code. Such amounts, if any, as may be appropriated hereunder to the capital reserve fund of the Idaho housing and finance association shall be repaid for distribution under the provisions of this section, subject to the provisions of section 67-6215, Idaho Code, by the Idaho housing and finance association, as soon as possible, from any moneys available therefor and in excess of the amounts the association determines will keep it self-supporting.
- (5) An amount equal to the sum required by the provisions of sections 63-709 and 63-717, Idaho Code, after allowance for the amount appropriated by section 63-718(3), Idaho Code, is continuously appropriated and shall be paid as provided by sections 63-709 and 63-717, Idaho Code.
- (6) An amount required by the provisions of chapter 53, title 33, Idaho Code.
- (7) An amount required by the provisions of chapter 87, title 67, Idaho Code.
- (8) For fiscal year 2011 and each fiscal year thereafter, four million one hundred thousand dollars (\$4,100,000), of which two million two hundred thousand dollars (\$2,200,000) shall be distributed to each of the forty-four (44) counties in equal amounts and one million nine hundred thousand dollars (\$1,900,000) shall be distributed to the forty-four (44) counties in the proportion that the population of the county bears to the population of the state. For fiscal year 2012 and for each fiscal year thereafter, the amount distributed pursuant to this subsection shall be adjusted annually by the state tax commission in accordance with the consumer price index for all urban consumers (CPI-U) as published by the U.S. department of labor, bureau of labor statistics, but in no fiscal year shall the total amount allocated for counties under this subsection be less than four million one hundred thousand dollars (\$4,100,000). Any increase resulting from the adjustment required in this section shall be distributed to each county in the proportion that the population of the county bears to the population of the state. Each county shall establish a special election fund to which shall be deposited all revenues received from the distribution pursuant to this subsection. All such revenues shall be used exclusively to defray the costs associated with conducting elections as required of county clerks by the provisions of section 34-1401, Idaho Code.
- (9) One dollar (\$1.00) on each application for certificate of title or initial application for registration of a motor vehicle, snowmobile, all-terrain vehicle or other vehicle processed by the county assessor or the Idaho transportation department, excepting those applications in which any sales or use taxes due have been previously collected by a retailer, shall be a fee for the services of the assessor of the county or the Idaho transportation department in collecting such taxes and shall be paid into the current

expense fund of the county or state highway account established in section 40-702, Idaho Code.

- (10) Eleven and five-tenths percent (11.5%) of revenues collected under this chapter, following any distributions required by sections 63-3203, 63-3620F, and 63-3709, Idaho Code, and by subsection (1) of this section, is continuously appropriated and shall be distributed to the revenue-sharing account, which is hereby created in the state treasury, and the moneys in the revenue-sharing account will be paid in installments each calendar quarter by the state tax commission as follows:
 - (a) Forty-five and two-tenths percent (45.2%) shall be paid to the various cities as follows:
 - (i) The revenue-sharing amount calculated by the state tax commission for the various cities for each quarter of fiscal year 2020 shall be the base amount for current quarterly revenue distribution amounts. The state tax commission shall calculate the per capita distribution for each city resulting from the previous fiscal year's distributions.
 - (ii) If there is no change in the amount of the revenue-sharing account from the same quarter of the previous fiscal year, then the various cities shall receive the same amount received for the same quarter of the previous fiscal year.
 - (iii) If the balance of the revenue-sharing account for the current quarter is greater than the balance of the revenue-sharing account for the same quarter of the previous fiscal year, then:
 - 1. If the distributions made to the cities during the same quarter of the previous fiscal year were below the base amount established in fiscal year 2020, then the various cities shall first receive a proportional increase up to the base amount for each city and up to a one-percent (1%) increase over such base amount. Any remaining moneys shall be distributed to cities with a below-average per capita distribution in the proportion that the population of that city bears to the population of all cities with below-average per capita distributions within the state.
 - 2. If the distributions made to the cities during the same quarter of the previous fiscal year were at or above the base amount established in fiscal year 2020, then the cities shall receive the same distribution they received during the same quarter of the previous fiscal year plus a proportional increase up to one percent (1%). Any remaining moneys shall be distributed to the cities with a below-average per capita distribution in the proportion that the population of that city bears to the population of all cities with a below-average per capita distribution within the state.
 - (iv) If the balance of the revenue-sharing account for the current quarter is less than the balance of the revenue-sharing account for the same quarter of the previous fiscal year, then the cities shall first receive a proportional reduction down to the base amount established in fiscal year 2020. If further reductions are necessary, the cities shall receive reductions based on

the proportion that each city's population bears to the population of all cities within the state.

- (b) Forty-seven and one-tenth percent (47.1%) shall be paid to the various counties as follows:
 - (i) Fifty-nine and eight-tenths percent (59.8%) of the amount to be distributed under this paragraph (b) of this subsection shall be distributed as follows:
 - 1. One million three hundred twenty thousand dollars (\$1,320,000) annually shall be distributed one forty-fourth (1/44) to each of the various counties; and
 - 2. The balance of such amount shall be paid to the various counties, and each county shall be entitled to an amount in the proportion that the population of that county bears to the population of the state; and
 - (ii) Forty and two-tenths percent (40.2%) of the amount to be distributed under this paragraph (b) of this subsection shall be distributed as follows:
 - 1. Each county that received a payment under the provisions of section 63-3638(e), Idaho Code, as that subsection existed immediately prior to July 1, 2000, during the fourth quarter of calendar year 1999, shall be entitled to a like amount during succeeding calendar quarters.
 - 2. If the dollar amount of money available under this subsection (10) (b) (ii) in any quarter does not equal the amount paid in the fourth quarter of calendar year 1999, each county's payment shall be reduced proportionately.
 - 3. If the dollar amount of money available under this subsection (10)(b)(ii) in any quarter exceeds the amount paid in the fourth quarter of calendar year 1999, each county shall be entitled to a proportionately increased payment, but such increase shall not exceed one hundred five percent (105%) of the total payment made in the fourth quarter of calendar year 1999.
 - 4. If the dollar amount of money available under this subsection (10) (b) (ii) in any quarter exceeds one hundred five percent (105%) of the total payment made in the fourth quarter of calendar year 1999, any amount over and above such one hundred five percent (105%) shall be paid to the various counties in the proportion that the population of the county bears to the population of the state; and
- (c) Seven and seven-tenths percent (7.7%) of the amount appropriated in this subsection shall be paid to the several counties for distribution to special purpose taxing districts as follows:
 - (i) Each such district that received a payment under the provisions of section 63-3638(e), Idaho Code, as such subsection existed immediately prior to July 1, 2000, during the fourth quarter of calendar year 1999, shall be entitled to a like amount during succeeding calendar quarters.
 - (ii) If the dollar amount of money available under this subsection (10)(c) in any quarter does not equal the amount paid in the

fourth quarter of calendar year 1999, each special purpose taxing district's payment shall be reduced proportionately.

- (iii) If the dollar amount of money available under this subsection (10)(c) in any quarter exceeds the amount distributed under paragraph (c)(i) of this subsection, each special purpose taxing district shall be entitled to a share of the excess based on the proportion each such district's current property tax budget bears to the sum of the current property tax budgets of all such districts in the state. Each year, starting with the distribution for the quarter ending December 31, the state tax commission shall calculate this distribution based on the district's current property tax budgets, including any unrecovered forgone amounts as determined under section 63-802(1)(e), Idaho Code. When a special purpose taxing district is situated in more than one (1) county, the state tax commission shall determine the portion attributable to the special purpose taxing district from each county in which it is situated.
- (iv) If special purpose taxing districts are consolidated, the resulting district is entitled to a base amount equal to the sum of the base amounts received in the last calendar quarter by each district prior to the consolidation.
- (v) If a special purpose taxing district is dissolved or disincorporated, the state tax commission shall continuously distribute to the board of county commissioners an amount equal to the last quarter's distribution prior to dissolution or disincorporation. The board of county commissioners shall determine any redistribution of moneys so received.
- (vi) Taxing districts formed after January 1, 2001, are not entitled to a payment under the provisions of this paragraph (c) of this subsection.
- (vii) For purposes of this paragraph (c) of this subsection, a special purpose taxing district is any taxing district that is not a city, a county, or a school district.
- (viii) Special purpose taxing districts shall use funds received under the provisions of this subsection only for the purposes for which the special purpose taxing districts were formed.
- (11) Amounts calculated in accordance with section 2, chapter 356, laws of 2001, for annual distribution to counties and other taxing districts beginning in October 2001 for replacement of property tax on farm machinery and equipment exempted pursuant to section 63-602EE, Idaho Code. For nonschool districts, the state tax commission shall distribute one-fourth (1/4) of this amount certified quarterly to each county. For school districts, the state tax commission shall distribute one-fourth (1/4) of the amount certified quarterly to each school district. For nonschool districts, the county auditor shall distribute such amounts to each district within thirty (30) calendar days from receipt of moneys from the state tax commission. Moneys received by each taxing district for replacement shall be utilized in the same manner and in the same proportions as revenues from property taxation. The moneys remitted to the county treasurer for replacement of property exempt from taxation pursuant to section 63-602EE, Idaho Code, may

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be considered by the counties and other taxing districts and budgeted at the same time, in the same manner, and in the same year as revenues from taxation on personal property, which these moneys replace. If taxing districts are consolidated, the resulting district is entitled to an amount equal to the sum of the amounts received in the last calendar quarter by each district pursuant to this subsection prior to the consolidation. If a taxing district is dissolved or disincorporated, the state tax commission shall continuously distribute to the board of county commissioners an amount equal to the last quarter's distribution prior to dissolution or disincorporation. The board of county commissioners shall determine any redistribution of moneys so received. If a taxing district annexes territory, the distribution of moneys received pursuant to this subsection shall be unaffected. districts formed after January 1, 2001, are not entitled to a payment under the provisions of this subsection. School districts shall receive an amount determined by multiplying the sum of the year 2000 school district levy minus .004 times the market value on December 31, 2000, in the district of the property exempt from taxation pursuant to section 63-602EE, Idaho Code, provided that the result of these calculations shall not be less than zero (0). The result of these school district calculations shall be further increased by six percent (6%). For purposes of the limitation provided by section 63-802, Idaho Code, moneys received pursuant to this section as property tax replacement for property exempt from taxation pursuant to section 63-602EE, Idaho Code, shall be treated as property tax revenues.

- (12) Amounts necessary to pay refunds as provided in section 63-3641, Idaho Code, to a developer of a retail complex shall be remitted to the demonstration pilot project fund created in section 63-3641, Idaho Code.
- (13) Amounts calculated in accordance with section 63-602KK(4), Idaho Code, for annual distribution to counties and other taxing districts for replacement of property tax on personal property tax exemptions pursuant to section 63-602KK(2), Idaho Code, which amounts are continuously appropriated unless the legislature enacts a different appropriation for a particular fiscal year. For purposes of the limitation provided by section 63-802, Idaho Code, moneys received pursuant to this section as property tax replacement for property exempt from taxation pursuant to section 63-602KK, Idaho Code, shall be treated as property tax revenues. If taxing districts are consolidated, the resulting district is entitled to an amount equal to the sum of the amounts that were received in the last calendar year by each district pursuant to this subsection prior to the consolidation. If a taxing district or revenue allocation area annexes territory, the distribution of moneys received pursuant to this subsection shall be unaffected. districts and revenue allocation areas formed after January 1, 2022, are not entitled to a payment under the provisions of this subsection.
- (14) For fiscal year 2023 only, a sum of thirty-four million dollars (\$34,000,000) shall be distributed each year by the state tax commission to the forty-four (44) counties in the proportion that the expenditures of each county for indigent defense services during county fiscal year 2021, excluding any state funding or grants, bear to the expenditures of all counties in the state for indigent defense services during county fiscal year 2021, excluding any state funding or grants. No later than July 1, 2022, the state public defense commission shall certify to the state tax commission each

county's proportionate share of all counties' indigent defense expenses in county fiscal year 2021, excluding any state funding or grants.

- (15) For fiscal year 2024 and each fiscal year thereafter, two and twenty-five hundredths percent (2.25%) of revenues collected under this chapter, following any distributions required by sections 63-3203, 63-3620F, and 63-3709, Idaho Code, and by subsections (1), (10), and (16) of this section, is continuously appropriated and shall be distributed annually to the homeowner property tax relief account established in section 63-724, Idaho Code.
- (16) Four and five-tenths percent (4.5%) of revenues collected under this chapter, following any distributions required by sections 63-3620F and 63-3709, Idaho Code, and by subsections (1) and (10) of this section, but no less than eighty million dollars (\$80,000,000) and no more than one hundred forty million dollars (\$140,000,000), shall be distributed as follows:
 - (a) Eighty million dollars (\$80,000,000) is continuously appropriated and shall be distributed to the transportation expansion and congestion mitigation fund established in section 40-720, Idaho Code; and
 - (b) The remaining moneys in excess of eighty million dollars (\$80,000,000) provided for in this subsection is continuously appropriated and shall be apportioned to local units of government for local highway projects in the same percentages provided for in section 40-709(1) through (3), Idaho Code. Local units of government may pool funds allocated to them pursuant to this paragraph for local highway projects.
- (17) Beginning in fiscal year 2024 and each fiscal year thereafter, three hundred thirty million dollars (\$330,000,000) shall be distributed annually to the public school income fund created in section 33-903, Idaho Code, and eighty million dollars (\$80,000,000) shall be distributed annually to the in-demand careers fund established in section 72-1206, Idaho Code. The state tax commission shall make such transfers in quarterly installments.
- (18) For fiscal year 2024 and each fiscal year thereafter, three and twenty-five hundredths percent (3.25%) of revenues collected under this chapter, following any distributions required by sections 63-3203, 63-3620F, and 63-3709, Idaho Code, and by subsections (1), (10), and (16) of this section, is continuously appropriated and shall be distributed annually to the school district facilities fund established pursuant to section 33-911, Idaho Code.
- (19) One hundred twenty-five million dollars (\$125,000,000) collected under this chapter, following any distributions required by sections 63-3620F and 63-3709, Idaho Code, and by subsections (1), (10), (15), (16), and (18) of this section is continuously appropriated and shall be distributed to the school modernization facilities fund established in section 33-912, Idaho Code. The state tax commission shall make such transfers in quarterly installments.
- (20) Any moneys remaining over and above those necessary to meet and reserve for payments under other subsections of this section shall be distributed to the general fund.

SECTION 5. An emergency existing therefor, which emergency is hereby declared to exist, Sections 1 and 2 of this act shall be in full force and ef-

- fect on and after July 1, 2025. Sections 3 and 4 of this act shall be in full force and effect on and after June 30, 2026.