

October 2020

Utah Constitutional Amendment G

The purpose of this brief is to educate Utah voters on the perspectives of both proponents and opponents of Utah Constitutional Amendment G.

The income received from state income taxes is currently earmarked in the Utah Constitution to be used specifically for funding public education, including higher education. Senate Joint Resolution 9 calls for amending the Utah Constitution to include supporting children and people with disabilities within this same funding stream². The Utah State Legislature voted to approve the amendment and is now turning the proposal over to Utahns to vote for on the 2020 ballot under “Constitutional Amendment G”. Amendment G will ask voters,

Shall the Utah Constitution be amended to expand the uses of money the state receives from income taxes and intangible property taxes to include supporting children and supporting people with a disability?¹

Hinging on the passage of Amendment G is House Bill 357 (HB357). HB 357 will “provide for growth and stabilization in the public education funding” through providing ongoing funding, as well as additional funding for enrollment growth and inflation, for the Minimum School Program (the primary funding source for school districts) as well as providing funding and appropriations to stabilize education funding in case of circumstances where income tax revenues are insufficient to fund public education³. This ongoing funding and stabilization will not result in any increase or decrease in revenue or cost to the state or local governments¹.

Proponents of Amendment G look forward to the stabilizing and growth of public education funds from HB 357 that will follow if Amendment G passes. Statements made in support of the amendment include, “Income tax is the least stable source of education funding. Amendment G stabilizes education funding and creates safeguards to ensure Utah is prepared to fund future growth and adjust for education” and “Amendment G provides educational security in funding, especially in down years like 2020. Utah’s students and educators deserve funding stability and security”¹. Utah has

continually ranked among the lowest in per-pupil-spending in states and as Utah continues to have an upward trend in population growth, the need for secure funding for our public education system is essential.

Opponents worry Amendment G will pit “hundreds of vital social services programs against our already underfunded public education system”¹. Services for children and people with disabilities are both services that are also underfunded in the state of Utah. For instance, nearly 4,000 people are currently on a waitlist to receive services from the Division of Services for People with Disabilities. However, as cited above, Utah lacks adequate funding for education, and adding two additional services to an already under-funded account will only further strain funding for the three services. Opponents also fear the amendment will allow for misuse of the funding and that these tax dollars may go towards, “vouchers to send students with disabilities to non-public schools”¹. This would circumvent the current requirement that these taxes are used only for public education programs as well as hurt students with disabilities in supporting them in going to schools that are not required to be in compliance with the Individuals with Disabilities Education Act. Instead of only addressing the funding that comes from income taxes, opponents call for addressing both income and sales taxes to address “the demands of our rapidly growing and changing state”¹.

Both arguments for and against Amendment G address the need for funding and security of Utah’s public education system. Utahns must be deliberate in voting and ensure they are educated on the possible outcomes, both positive and negative, that may come from implementing Amendment G. If passed, Amendment G will take effect on January 1, 2021.

References

¹Constitutional Amendment G, S.J.R 9, 63 Cong (2020). <https://voteinfo.utah.gov/wp-content/uploads/sites/42/2020/10/Constitutional-Amendment-G.pdf>

²Proposal to Amend Utah Constitution – Use of Tax Revenue, S.J.R. 9, 63 Cong (2020).
<https://le.utah.gov/~2020/bills/static/SJR009.html>

³Public Education Funding Stabilization, H.B 357, 63 Cong (2020).
<https://le.utah.gov/~2020/bills/static/HB0357.html>

Questions? Please Contact: Teresa Larsen • 435-797-0602 • teresa.larsen@usu.edu