

Bill: SB 164 – School Construction Amendments

Sponsor: Senator Wilson

Floor Sponsor:

UASD Position: TBD

This Bill transfers oversight of public school construction from the State Board of Education to the Division of Facilities Construction and Management (division).

Discussion: Senator Wilson presented the Bill, explaining that it would establish a centralized oversight and management framework for K–12 school construction projects. The Bill would require the use of an online document management system, standardized cost reporting, training for local education agencies (“LEA”), and expanded audit and oversight procedures. Under the Bill, oversight authority would shift from local school boards and the State Board of Education to the Department of Facilities and Construction Management (“DFCM”). The Bill would require DFCM approval of inspectors, eliminate local inspection authority, and grant DFCM authority to suspend permits and conduct audits. It also establishes a three-member appeals panel to resolve disputes between LEAs and DFCM.

The sponsor stated that the Bill is intended to improve transparency, reduce construction costs, and strengthen Utah’s school construction system after audits identified safety violations and cost inconsistencies in certain projects. The Bill would require pre-construction applications to establish cost benchmarks and would require justification for projects that exceed cost matrices by more than 10%. A 1.25% fee on total project costs would fund DFCM’s plan review and oversight responsibilities, and DFCM would be required to report annually to the Legislature on fee revenues and expenditures. The Bill also allows certain elements of projects to be pre-approved in order to accelerate construction timelines.

The former and current directors of DFCM testified in support of the Bill, citing audit findings and noting that Wyoming has adopted a similar oversight model. Marvin Dodge, Director of the Department of Government Operations, also spoke in support.

Several Senators raised concerns during the hearing. Senator Riebe questioned the impact of the 1.25% fee and the reduction of local control. She advocated for an opt-in option for school districts. Senator Fillmore expressed concern that the fee could significantly increase project costs but stated that, with continued work on it, he would support the Bill. Senator Hinkins opposed the Bill, citing concerns about the burden on rural school districts and the loss of opportunities for local contractors. Senator Balderree asked the sponsor to review language related to transportation routes that may not be finalized until a school is nearly completed.

Several education and local government organizations testified in opposition, including the Utah School Boards Association and representatives from Granite School District. They argued that local school districts already have effective safety and inspection systems and should retain authority. They also objected to the additional fees and called for stronger involvement of

existing LEAs. Members of the public also expressed concerns. A representative from Hogan and Associates Construction supported the Bill but noted that DFCM oversight could raise costs. AIA Utah supported increased oversight but expressed concern about the size of the fee. Hughes General Contractors urged further stakeholder engagement before advancing the legislation. The Wasatch Taxpayers Association opposed the Bill because of the added fees and called for greater taxpayer involvement in the process.

Senator Wilson concluded the hearing by emphasizing that the Bill is intended to improve accountability, protect public investment, and provide a clearer framework for school construction statewide.

Yeas: 5
Nays: 2
N/V: 0

Outcome: SB 146 passed out of the Committee with a favorable recommendation.

Bill: SB 126 – School Swimming and Lifeguard

Sponsor: Senator Plumb

Floor Sponsor:

UASD Position: Tracking

This Bill enacts provisions in public education related to water safety.

Discussion:

Yeas:
Nays:
N/V:

Outcome: SB 126 was not heard in Committee today.