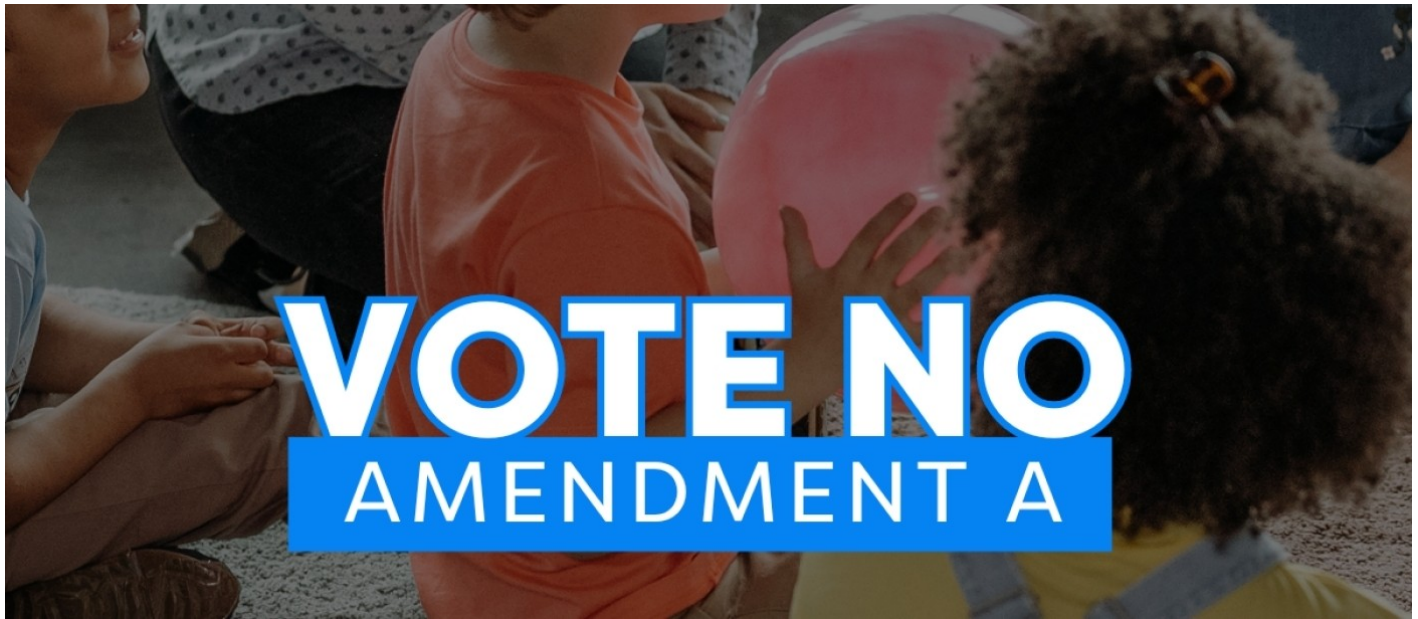


Bad for Kids: Important Information on Amendment A

Published: Monday, 23 September 2024 16:17

Written by: Anna Thomas



The well-deserved negative attention to Amendment D—[ruled void by a Utah judge for being “false and misleading”](#)—has more people asking, “What exactly is in Amendment A?”

To start, there are several similarities between Amendments A and D:

- Voices for Utah Children is opposed to the legislative proposals in each of these amendments to our constitution.
- Both contain language [challenged in court](#) for misrepresenting the proposals they outline.
- Both amendments potentially [violated the state constitution](#) because legislative leaders did not follow the constitutionally-mandated procedure for making the language available to the general public to review.
- Both represent a dangerous push by Utah’s legislative leadership to dramatically reduce everyday Utahns’ influence over our own laws and tax dollars.
- Both were written by [Senate President Stuart Adams and House Speaker Mike Schultz](#)—a major departure from previous practices meant to promote fairness and transparency (the legislature changed state law earlier this year

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so that they could write their own amendment language, instead of relying on professionals, with legal training, working in state government).



Now that [the actual language of Amendment A](#) is public, we have been getting questions about the details of this legislative proposal. It can be difficult to tell by simply reading the description provided by state politicians, what a major decision registered voters are being asked to make.

Part 1: “Shall the Utah Constitution be amended to allow income tax money to be used for all state needs...”

This is the real reason for Amendment A. Legislative leaders are asking us to give them permission to spend our income tax dollars on any and all government expenses, instead of spending this money on K-12 education (in the Constitution since 1946), higher education (since 1996), and state programs that help children and people with disabilities (since 2020).

It is important to note that this proposal [amends Article 13, Section 5, of our state Constitution](#), which has directed legislators to spend income tax dollars on public education for nearly 80 years. Utah is unique among states for including this direction in our founding document.

Legislative leaders argue that this change is needed to [“balance the state’s budget”](#) and give the legislature more “flexibility.” But, legislators have managed to balance the state’s budget every year, giving Utah its image as a “well-managed” state. It is unclear why they require additional power to do so now. It is difficult to assess whether more or less “flexibility” is needed, as the legislative budgeting process is currently very difficult to follow, as it is non-transparent and occurs mostly behind closed doors.

Part 2: “...and prioritize public education funding for changes in enrollment and inflation?”

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This is a “promise” from legislative leaders that if voters allow them to use income tax dollars on whatever they want, instead of on programs and priorities designated by the people of Utah, state politicians promise that they won’t do anything to “harm” public education through their future funding decisions.

As a reminder, here are some recent examples of the legislature spending, or proposing to spend, taxpayer dollars on pet projects of dubious benefit to our state:

- Millions for [“experimental tree cutting” on private land](#) owned by a tech billionaire.
- Potentially billions to [dredge Utah Lake to build small islands](#) for luxury homes.
- Millions to a private lobbying group for [“anti-wolf” work](#).

No specifics as to just how the legislature promises to fund public education, should Amendment A pass, are mentioned in the language that will appear on the ballot. This language is sort of referring to a bill ([“Hold Harmless for Public Education Enrollment Decline”](#)) the legislature passed in 2023 while anticipating that they would put this amendment on the 2024 ballot.

Note that the thing our legislative leaders want to do (spend income tax money on their own priorities), will be enshrined in our Constitution. Changing the Constitution is hard because voters have to approve it. On the other hand, the “promise” to “hold education harmless” will only be in regular state law, which is much easier to change—legislators can change it whenever they want without needing voter approval.

Part 3: "If this amendment is approved, state statute will eliminate the state sales tax on food."

This is another “promise” from the legislature. If voters give lawmakers what they want, they promise to get rid of the state income tax on food. Local food taxes would not be impacted.

This language also refers to a state law, already passed ([HB101 in 2023](#)), which will go into effect if Utahns accept this “spoonful of sugar.” Sales tax, especially on food, is a [regressive tax](#). At Voices, we do support eliminating the food sales tax to help struggling families with children to feed, but it doesn’t need to be tied to this

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proposal.

This part of the proposal represents a tactic that legislative leaders have used before. Specifically, in 2023, [they forced educators, as well as their own legislative colleagues, to support a bill that contained funding for a new school voucher program](#). They did this by promising teachers a pay raise. This manipulative trade-off made it nearly impossible for education advocates to fight the voucher funding, contained in the same bill as the pay raise for Utah teachers.

As with the “hold harmless” promise, the food tax elimination promise will be in state law, while the change to Utahns’ educational funding mandate to the legislature will be enshrined in the constitution.

Do you trust the state legislature?

This is the real question to answer when you vote on Amendment A. Do you trust state legislators to do the right thing, particularly when it comes to properly funding our K-12 education system?

There are countless recent examples of the legislature overburdening and short-changing public education, while funneling millions of dollars—with no oversight—into their [school voucher pet project](#). We do not believe the legislature has much evidence to stand on when asking us to trust them on Amendment A.

Voices for Utah Children opposes Amendment A. It’s not good for Utah kids; it’s only good for Utah politicians.

Learn More and Get Involved

- Join the campaign against Amendment A! Get involved [here](#).
- [Amendment A Information Sheet](#)
- For detailed insights, check out Better Utah's latest report on Amendment A [here](#).