

SCHOOL DISTRICT BOUNDARY AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Norman K Thurston

LONG TITLE

General Description:

This bill modifies provisions related to school district boundaries.

Highlighted Provisions:

This bill:

- defines terms;
- requires school districts that serve residents of a single municipality to initiate boundary adjustment proceedings upon certain municipal annexation actions;
- exempts a school district from initiating a boundary adjustment in connection with municipal annexation if the affected school districts determine it is in the best interests of the municipality's residents to maintain the existing school district boundaries;
- requires certain school districts that construct a school within the boundaries of another school district to initiate boundary adjustment proceedings by a specified date in order to transfer the land to the school district; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53G-3-501, as last amended by Laws of Utah 2023, Chapter 116

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53G-3-501** is amended to read:

53G-3-501 . Transfer of a portion of a school district -- Required boundary adjustments -- Local school board petition -- Elector petition -- Certification of petition signatures -- Removal of signature -- Transfer election.

(1) Part of a school district may be transferred to another district in one of the following ways:

- (a) presentation to the county legislative body of each of the affected counties of a resolution requesting the transfer, approved by at least four-fifths of the members of the local school board of each affected school district;
- (b) presentation to the county legislative body of each affected county of a petition requesting that the voters vote on the transfer, signed by a majority of the members of the local school board of each affected school district; [or]
- (c) presentation to the county legislative body of each affected county of a petition requesting that the voters vote on the transfer, signed by 15% of the registered voters in each of the affected school districts within that county[:]; or
- (d) for a boundary adjustment required under Subsection (2) or (3), submission to the county legislative body of each of the affected counties of a resolution requesting the transfer from the local school board of the school district that is required to initiate the boundary adjustment.

~~[(2) (a) If an annexation of property by a city would result in its residents being served by more than one school district, then the presidents of the affected local school boards shall meet within 60 days prior to the effective date of the annexation to determine whether it would be advisable to adjust school district boundaries to permit all residents of the expanded city to be served by a single school district.]~~

~~[(b) Upon conclusion of the meeting, the local school board presidents shall prepare a recommendation for presentation to their respective local school boards as soon as reasonably possible.]~~

~~[(c) The local school boards may then initiate realignment proceedings under Subsection (1)(a) or (b).]~~

~~[(d) If a local school board rejects realignment under Subsection (1)(a) or (b), the other local school board may initiate the following procedures by majority vote within 60 days of the vote rejecting realignment:]~~

~~[(i) (A) within 30 days after a vote to initiate these procedures, each local school board shall appoint one member to a boundary review committee; or]~~

~~[(B) if the local school board becomes deadlocked in selecting the appointee under~~

- 62 Subsection (2)(d)(i)(A), the local school board's chair shall make the appointment or
63 serve as the appointee to the review committee.]
- 64 [(ii) The two local school board-appointed members of the committee shall meet and
65 appoint a third member of the committee.]
- 66 [(iii) If the two local school board-appointed members are unable to agree on the
67 appointment of a third member within 30 days after both are appointed, the state
68 superintendent shall appoint the third member.]
- 69 [(iv) The committee shall meet as necessary to prepare recommendations concerning
70 resolution of the realignment issue, and shall submit the recommendations to the
71 affected local school boards within six months after the appointment of the third
72 member of the committee.]
- 73 [(v) If a majority of the members of each local school board accepts the recommendation
74 of the committee, or accepts the recommendation after amendment by the local school
75 boards, then the accepted recommendation shall be implemented.]
- 76 [(vi) If the committee fails to submit its recommendation within the time allotted, or if one
77 local school board rejects the recommendation, the affected local school boards may
78 agree to extend the time for the committee to prepare an acceptable recommendation or
79 either local school board may request the state board to resolve the question.]
- 80 [(vii) If the committee has submitted a recommendation which the state board finds to be
81 reasonably supported by the evidence, the state board shall adopt the committee's
82 recommendation.]
- 83 [(viii) The decision of the state board is final.]
- 84 (2) (a) As used in this Subsection (2):
- 85 (i) "Expansion area" means the area of land approved for annexation and located
86 outside the boundaries of a specified school district.
- 87 (ii) "Municipality" means a city or town.
- 88 (iii) "Originating school district" means the school district whose boundaries an
89 expansion area is located within prior to the boundary adjustment required under
90 Subsection (2)(b).
- 91 (iv) "Specified school district" means a school district:
- 92 (A) that serves residents within a single municipality; and
- 93 (B) for which the municipality whose residents the school district serves enacts an
94 ordinance in accordance with Title 10, Chapter 2, Part 4, Annexation,
95 approving the annexation of an area of land located outside the boundaries of

- 112 the school district.
- 113 (b) Notwithstanding any other provisions of this chapter and except as provided in
- 114 Subsection (2)(c)(ii), the local school board of a specified school district shall initiate
- 115 boundary adjustment proceedings under Subsection (1)(d):
- 116 (i) to request the expansion area to be transferred to the specified school district from
- 117 the originating school district; and
- 118 (ii) by submitting the resolution requesting the transfer, as provided in Subsection
- 119 (1)(d), within 60 days after the day on which the municipality enacts the ordinance
- 120 approving annexation of the expansion area.
- 121 (c) (i) Before initiating the boundary adjustment required under Subsection (2)(b), the
- 122 local school board presidents of the specified school district and the originating
- 123 school district shall, within the timeframe described in Subsection (2)(b)(ii), meet
- 124 to determine whether allowing the expansion area to remain within the boundaries
- 125 of the originating school district is in the best interests of the municipality's
- 126 residents.
- 127 (ii) The requirements of Subsection (2)(b) do not apply to a specified school district
- 128 if, upon meeting under Subsection (2)(c)(i), the presidents of the local school
- 129 boards mutually agree that allowing the expansion area to remain within the
- 130 boundaries of the originating school district is in the best interests of the
- 131 municipality's residents.
- 132 (3) (a) This Subsection (3) applies to a school district that:
- 133 (i) serves residents within a single municipality; and
- 134 (ii) in calendar year 2018, completed construction on a secondary school within an
- 135 area of land located outside the boundaries of the school district.
- 136 (b) Notwithstanding any other provisions of this chapter, the local school board of a
- 137 school district described in Subsection (3)(a) shall initiate boundary adjustment
- 138 proceedings under Subsection (1)(d):
- 139 (i) to request the land described in Subsection (3)(a)(ii) to be transferred to the school
- 140 district from the school district whose boundaries the land is located within; and
- 141 (ii) by submitting the resolution requesting the transfer, as provided in Subsection
- 142 (1)(d), on or before June 1, 2024.
- 143 [(3)] (4) If a registered voter petition is presented to the county legislative body under
- 144 Subsection (1)(c):
- 145 (a) within three business days after the day on which the county legislative body

receives the petition, the county legislative body shall provide the petition to the county clerk; and

(b) within 14 days after the day on which a county clerk receives a petition from the county legislative body, the county clerk shall:

(i) use the procedures described in Section 20A-1-1002 to determine whether the petition satisfies the requirements of Subsection (1)(c) for a registered voter petition;

(ii) certify on the petition whether each name is that of a registered voter in one of the affected districts; and

(iii) deliver the certified petition to the county legislative body.

~~[(4)]~~ (5) (a) A voter who signs a registered voter petition under Subsection (1)(c) may have the voter's signature removed from the petition by, no later than three business days after the day on which the county legislative body provides the petition to the county clerk, submitting to the county clerk a statement requesting that the voter's signature be removed.

(b) A statement described in Subsection ~~[(4)(a)]~~ (5)(a) shall comply with the requirements described in Subsection 20A-1-1003(2).

(c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3) to determine whether to remove an individual's signature from a petition after receiving a timely, valid statement requesting removal of the signature.

~~[(5)]~~ (6) (a) The voters of each affected district shall vote on the transfer requested under Subsection (1)(b) or (c) at an election called for that purpose, which may be the next general election.

(b) The election shall be conducted and the returns canvassed as provided by election law.

(c) A transfer is effected only if a majority of votes cast by the voters in both the proposed transferor district and in the proposed transferee district are in favor of the transfer.

Section 2. **Effective date.**

This bill takes effect on May 1, 2024.