

**63B-1-317 Publication of resolution or other proceeding -- Contest of proceedings --  
Mandamus to compel official to sign obligations.**

- (1) The authority may provide for the publication of any resolution it adopts for the authorization of obligations under this part:
  - (a) in one issue of a newspaper having general circulation in this state; and
  - (b) as required in Section 45-1-101.
- (2) In case of resolution or other proceeding providing for the issuance of obligations under this part, the authority may, in lieu of publishing the entire resolution or other proceeding, publish a notice of obligations to be issued, titled as such, containing:
  - (a) the name of the authority;
  - (b) the purpose of the issue;
  - (c) the type of obligations and the principal amount to be issued;
  - (d) the maximum maturity of the obligations;
  - (e) the maximum net effective rate of interest payable on the issue of obligations;
  - (f) the maximum discount from par which is to be permitted if the obligations may be sold at a discount below par value; and
  - (g) the times and place where a copy of the resolution or other proceeding may be examined, during regular business hours, for a period of at least 30 days after the publication of the notice.
- (3)
  - (a) For a period of 30 days after the date of publication under Subsection (1) or (2), any interested person may contest the legality of the resolution, of the obligations authorized by it, or any of the provisions made for the security and payment of these obligations.
  - (b) After this period, no one shall have any cause of action to contest the regularity, formality, or legality of same for any cause whatsoever, except as provided in Subsection (4).
- (4)
  - (a) If any official required to sign the obligations refuses to sign them because the official alleges that the obligations to be signed are illegal, the authority may bring an original action in the supreme court for a writ of mandamus requiring the official to sign the obligations.
  - (b) Because of the importance of the facilities construction and acquisition program provided for in this part, the Utah Supreme Court shall:
    - (i) give this action precedence over any other matters pending before the court; and
    - (ii) consider and determine these matters at the earliest possible time.

Amended by Chapter 388, 2009 General Session