

1                                   **CREATION OF NEW SCHOOL DISTRICT**

2   **AMENDMENTS**

3   2007 FIRST SPECIAL SESSION

4   STATE OF UTAH

5   **Chief Sponsor: John Dougall**

6   Senate Sponsor: Carlene M. Walker

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8                   **LONG TITLE**

9                   **General Description:**

10                   This bill modifies provisions related to the creation of a new school district.

11                   **Highlighted Provisions:**

12                   This bill:

13                   ▶ adds an exception to the requirement that a proposed new school district include the  
14 entire boundaries of each city or town that participates in an interlocal agreement for  
15 the creation of a new school district, so that a city or town may include some but not  
16 all of the area within its boundaries if the portion to be included is within the same  
17 school district as the other interlocal agreement participants and the area to be  
18 excluded is in another school district;

19                   ▶ provides that a city or town located in more than one county that participates in an  
20 interlocal agreement to create a new school district as to some but not all of the area  
21 within the city or town under the preceding exception may not be considered to  
22 cross county lines for purposes of a prohibition against a proposed new school  
23 district crossing county lines;

24                   ▶ clarifies that a new school district may be created from multiple existing school  
25 districts;

26                   ▶ clarifies the election provisions applicable to an election for the creation of a new  
27 school district;

28                   ▶ authorizes an individual residing within a new school district to elect to enroll in a  
29 secondary school located within another school district under certain circumstances;

30           ▶ modifies provisions related to a required feasibility study for proposals to create a  
31 new school district; and

32           ▶ modifies the time within which requests for the creation of a new school district are  
33 required to be certified.

34 **Monies Appropriated in this Bill:**

35           None

36 **Other Special Clauses:**

37           This bill provides an immediate effective date.

38 **Utah Code Sections Affected:**

39 AMENDS:

40           **53A-2-118**, as last amended by Laws of Utah 2007, Chapter 215

41           **53A-2-118.1**, as last amended by Laws of Utah 2007, Chapter 215



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

44           Section 1. Section **53A-2-118** is amended to read:

45           **53A-2-118. Creation of new school district by county legislative body --**

46 **Initiation of process -- Procedures to be followed.**

47           (1) A [~~county legislative body may create a~~] new school district may be created from  
48 [~~an~~] one or more existing school [~~district~~] districts, as provided in this section[~~, if the area of the~~  
49 ~~new school district is within or, under Subsection 53A-2-118.1(2)(b)(ii), considered to be~~  
50 ~~within the geographical boundaries of the county~~].

51           (2) (a) The process to create a new school district may be initiated:

52           (i) through a citizens' initiative petition;

53           (ii) at the request of the board of the existing district or districts to be affected by the  
54 creation of the new district; or

55           (iii) at the request of a city within the boundaries of the school district or at the request  
56 of interlocal agreement participants, pursuant to Section 53A-2-118.1.

57           (b) (i) [~~A~~] Each petition submitted under Subsection (2)(a)(i) [~~must~~] shall be signed by

58 qualified electors residing within the geographical boundaries of the proposed new school  
59 district equal in number to at least 15% of the number of electors in the area who voted for the  
60 office of governor at the last regular general election.

61 (ii) [A] Each request or petition submitted under Subsection (2)(a) shall:

62 (A) be filed with the [county] clerk of each county in which any part of the proposed  
63 new school district is located;

64 (B) indicate the typed or printed name and current residence address of each governing  
65 board member making a request, or registered voter signing a petition, as the case may be;

66 (C) describe the proposed new school district boundaries; and

67 (D) designate up to five signers of the petition or request as sponsors, one of whom  
68 shall be designated as the contact sponsor, with the mailing address and telephone number of  
69 each.

70 (c) A signer of a petition under Subsection (2)(a)(i) may withdraw or, once withdrawn,  
71 reinstate the signer's signature at any time before the filing of the petition by filing a written  
72 withdrawal or reinstatement with the county clerk.

73 (d) The process under Subsection (2)(a)(i) may only be initiated once during any  
74 four-year period.

75 (e) A new district may not be formed pursuant to Subsection (2)(a) if the student  
76 population of the proposed new district is less than 3,000 or the existing district's student  
77 population would be less than 3,000 because of the creation of the new school district.

78 (f) Within 45 days after the filing of a [~~request or~~] petition under Subsection (2)(a)(i) or  
79 five business days after the filing of a request under Subsection (2)(a)(ii) or (iii), the [county]  
80 clerk of each county with which a request or petition is filed shall:

81 (i) determine whether the request or petition complies with Subsections (2)(a), (b), (d),  
82 and (e), as applicable; and

83 (ii) (A) if the county clerk determines that the request or petition complies with the  
84 applicable requirements:

85 (I) certify the request or petition and deliver the certified request or petition to the

86 county legislative body; and

87 (II) mail or deliver written notification of the certification to the contact sponsor; or

88 (B) if the county clerk determines that the request or petition fails to comply with any  
89 of the applicable requirements, reject the request or petition and notify the contact sponsor in  
90 writing of the rejection and reasons for the rejection.

91 (g) If the county clerk fails to certify or reject a request or petition within ~~[45 days after~~  
92 ~~its filing]~~ the time specified in Subsection (2)(f), the request or petition shall be considered to be  
93 certified.

94 (h) (i) If the county clerk rejects a request or petition, the request or petition may be  
95 amended to correct the deficiencies for which it was rejected and then refiled.

96 (ii) Subsection (2)(d) does not apply to a request or petition that is amended and refiled  
97 after having been rejected by a county clerk.

98 (i) If a county legislative body receives a request from a school board under Subsection  
99 (2)(a)(ii) or a petition under Subsection (2)(a)(i) which is certified by the county clerk on or  
100 before December 1:

101 (i) the county legislative body shall appoint an ad hoc advisory committee, as provided  
102 by Subsection (3), on or before January 1;

103 (ii) the ad hoc advisory committee shall submit its report and recommendations to the  
104 county legislative body, as provided by Subsection (3), on or before July 1; and

105 (iii) if the ~~[county]~~ legislative body of each county with which a request or petition is  
106 filed approves a proposal to create a new district, the proposal shall be submitted to the  
107 respective county clerk to be voted on by the electors of ~~[the]~~ each existing district at the  
108 regular general or municipal general election held in November.

109 (3) (a) The ~~[county]~~ legislative body of each county with which a request or petition is  
110 filed shall appoint an ad hoc advisory committee to review and make recommendations on a  
111 request for the creation of a new school district submitted under Subsection (2)(a)(i) or (ii).

112 (b) The advisory committee shall:

113 (i) seek input from:

- 114 (A) those requesting the creation of the new school district;
- 115 (B) the school board and school personnel of [~~the~~] each existing school district;
- 116 (C) those citizens residing within the geographical boundaries of [~~the~~] each existing  
117 school district;
- 118 (D) the State Board of Education; and
- 119 (E) other interested parties;
- 120 (ii) review data and gather information on at least:
  - 121 (A) the financial viability of the proposed new school district;
  - 122 (B) the proposal's financial impact on [~~the~~] each existing school district;
  - 123 (C) the exact placement of school district boundaries; and
  - 124 (D) the positive and negative effects of creating a new school district and whether the  
125 positive effects outweigh the negative if a new school district were to be created; and
- 126 (iii) make a report to the county legislative body in a public meeting on the committee's  
127 activities, together with a recommendation on whether to create a new school district.
- 128 (4) For a request or petition submitted under Subsection (2)(a)(i) or (2)(a)(ii):
  - 129 (a) The county legislative body shall provide for a 45-day public comment period on the  
130 report and recommendation to begin on the day the report is given under Subsection (3)(b)(iii).
  - 131 (b) Within 14 days after the end of the comment period, the [~~county~~] legislative body of  
132 each county with which a request or petition is filed shall vote on the creation of the proposed  
133 new school district.
  - 134 (c) The proposal is approved if a majority of the members of the [~~county~~] legislative  
135 body of each county with which a request or petition is filed votes in favor of the proposal.
  - 136 (d) If the proposal is approved, the [~~county~~] legislative body of each county with which  
137 a request or petition is filed shall submit the proposal to the county clerk to be voted on:
    - 138 (i) by the legal voters of [~~the~~] each existing school district;
    - 139 (ii) in accordance with the procedures and requirements applicable to a regular general  
140 election under Title 20A, Election Code; and
    - 141 (iii) at the next regular general election or municipal general election, whichever is first.

142 (e) Creation of the new school district shall occur if a majority of the electors within  
143 both the proposed school district and ~~the~~ each remaining school district voting on the proposal  
144 vote in favor of the creation of the new district.

145 (f) ~~The~~ Each county legislative body shall provide notice of the action as required in  
146 Section 53A-2-101.5.

147 (g) If a proposal submitted under Subsection (2)(a)(i) or (ii) to create a new district is  
148 approved by the electors, the existing district's documented costs to study and implement the  
149 proposal shall be reimbursed by the new district.

150 (5) (a) If a proposal submitted under Subsection (2)(a)(iii) is certified under Subsection  
151 (2)(f) or (g), the ~~county~~ legislative body of each county in which part of the proposed new  
152 school district is located shall submit the proposal to the ~~county~~ respective clerk of each  
153 county to be voted on:

154 (i) by the legal voters residing within the proposed new school district boundaries;

155 (ii) in accordance with the procedures and requirements applicable to a regular general  
156 election under Title 20A, Election Code; and

157 (iii) at the next regular general election or municipal general election, whichever is first.

158 (b) (i) If a majority of the legal voters within the proposed new school district  
159 boundaries voting on the proposal at an election under Subsection (5)(a) vote in favor of the  
160 creation of the new district:

161 (A) ~~the~~ each county legislative body shall, within 30 days after the canvass of the  
162 election, file with the lieutenant governor the written notice required under Section  
163 53A-2-101.5; and

164 (B) upon the lieutenant governor's issuance of the certificate under Section 67-1a-6.5,  
165 the new district is created.

166 (ii) Notwithstanding the creation of a new district as provided in Subsection  
167 (5)(b)(i)(B):

168 (A) a new school district may not begin to provide educational services to the area  
169 within the new district until July 1 of the second calendar year following the election at which

170 voters approve creation of the new school district;

171 (B) a remaining district may not begin to provide educational services to the area within  
172 the remaining district until the time specified in Subsection (5)(b)(ii)(A); and

173 (C) ~~the~~ each existing district shall continue, until the time specified in Subsection  
174 (5)(b)(ii)(A), to provide educational services within the entire area covered by the existing  
175 district as though the new district had not been created.

176 Section 2. Section **53A-2-118.1** is amended to read:

177 **53A-2-118.1. Option for school district creation.**

178 (1) (a) After conducting a feasibility study, a city of the first or second class, as defined  
179 under Section 10-2-301, may by majority vote of the legislative body, submit for voter approval  
180 a measure to create a new school district with boundaries contiguous with that city's  
181 boundaries, in accordance with Section 53A-2-118.

182 (b) (i) The determination of all matters relating to the scope, adequacy, and other  
183 aspects of a feasibility study under Subsection (1)(a) is within the exclusive discretion of the  
184 city's legislative body.

185 (ii) An inadequacy of a feasibility study under Subsection (1)(a) may not be the basis of  
186 a legal action or other challenge to:

187 (A) an election for voter approval of the creation of a new school district; or

188 (B) the creation of the new school district.

189 (2) (a) By majority vote of the legislative body, a city of any class, a town, or a county,  
190 may, together with one or more other cities, towns, or the county enter into an interlocal  
191 agreement, in accordance with Title 11, Chapter 13, Interlocal Cooperation Act, for the purpose  
192 of submitting for voter approval a measure to create a new school district.

193 (b) (i) In accordance with Section 53A-2-118, interlocal agreement participants under  
194 Subsection (2)(a) may submit a proposal for voter approval if:

195 (A) the interlocal agreement participants conduct a feasibility study prior to submitting  
196 the proposal to the county;

197 (B) the combined population within the proposed new school district boundaries meets

198 the minimum population threshold for a city of the second class; and

199 (C) the new school district boundaries:

200 (I) are contiguous;

201 (II) do not completely surround or otherwise completely geographically isolate a  
202 portion of an existing school district that is not part of the proposed new school district from  
203 the remaining part of ~~the~~ that existing school district, except as provided in Subsection  
204 (2)(d)(iii);

205 (III) include the entire boundaries of each participant city or town, except as provided  
206 in Subsection (2)(d)(ii); and

207 (IV) subject to Subsection (2)(b)(ii), do not cross county lines.

208 (ii) The determination of all matters relating to the scope, adequacy, and other aspects  
209 of a feasibility study under Subsection (2)(b)(i)(A), including whether to conduct a new  
210 feasibility study or revise a previous feasibility study due to a change in the proposed new  
211 school district boundaries, is within the exclusive discretion of the legislative bodies of the  
212 interlocal agreement participants that enter into an interlocal agreement to submit for voter  
213 approval a measure to create a new school district.

214 (iii) An inadequacy of a feasibility study under Subsection (2)(b)(i)(A) may not be the  
215 basis of a legal action or other challenge to:

216 (A) an election for voter approval of the creation of a new school district; or

217 (B) the creation of the new school district.

218 ~~[(ii)]~~ (iv) For purposes of determining whether the boundaries of a proposed new  
219 school district cross county lines under Subsection (2)(b)(i)(C)(IV) ~~[and Subsection~~  
220 53A-2-118(1)];

221 (A) a municipality located in more than one county and entirely within the boundaries of  
222 a single school district is considered to be entirely within the same county as other participants  
223 in an interlocal agreement under Subsection (2)(a) if more of the municipality's land area and  
224 population is located in that same county than outside the county[-]; and

225 (B) a municipality located in more than one county that participates in an interlocal

226 agreement under Subsection (2)(a) with respect to some but not all of the area within the  
227 municipality's boundaries on the basis of the exception stated in Subsection (2)(d)(ii)(B) may  
228 not be considered to cross county lines.

229 (c) (i) A county may only participate in an interlocal agreement under this Subsection  
230 (2) for the unincorporated areas of the county.

231 (ii) Boundaries of a new school district created under this section may include:

232 (A) a portion of one or more existing school districts; and

233 (B) a portion of the unincorporated area of [the] a county, including a portion of a  
234 township.

235 (d) (i) As used in this Subsection (2)(d):

236 (A) "Isolated area" means an area that:

237 (I) is entirely within the boundaries of a municipality that, except for that area, is  
238 entirely within a school district different than the school district in which the area is located; and

239 (II) would, because of the creation of a new school district from the existing district in  
240 which the area is located, become completely geographically isolated.

241 (B) "Municipality's school district" means the school district that includes all of the  
242 municipality in which the isolated area is located except the isolated area.

243 (ii) Notwithstanding Subsection (2)(b)(i)(C)(III), a municipality may be a participant in  
244 an interlocal agreement under Subsection (2)(a) with respect to some but not all of the area  
245 within the municipality's boundaries if:

246 (A) the portion of the municipality proposed to be included in the new school district  
247 would, if not included, become an isolated area upon the creation of the new school district[-];

248 or

249 (B) (I) the portion of the municipality proposed to be included in the new school district  
250 is within the boundaries of the same school district that includes the other interlocal agreement

251 participants; and

252 (II) the portion of the municipality proposed to be excluded from the new school

253 district is within the boundaries of a school district other than the school district that includes

254 the other interlocal agreement participants.

255 (iii) (A) Notwithstanding Subsection (2)(b)(i)(C)(II), a proposal to create a new school  
256 district may be submitted for voter approval pursuant to an interlocal agreement under  
257 Subsection (2)(a), even though the new school district boundaries would create an isolated area,  
258 if:

259 (I) the potential isolated area is contiguous to one or more of the interlocal agreement  
260 participants;

261 (II) the interlocal participants submit a written request to the municipality in which the  
262 potential isolated area is located, requesting the municipality to enter into an interlocal  
263 agreement under Subsection (2)(a) that proposes to submit for voter approval a measure to  
264 create a new school district that includes the potential isolated area; and

265 (III) 90 days after a request under Subsection (2)(d)(iii)(A)(II) is submitted, the  
266 municipality has not entered into an interlocal agreement as requested in the request.

267 (B) Each municipality receiving a request under Subsection (2)(d)(iii)(A)(II) shall hold  
268 one or more public hearings to allow input from the public and affected school districts  
269 regarding whether or not the municipality should enter into an interlocal agreement with respect  
270 to the potential isolated area.

271 (C) (I) This Subsection (2)(d)(iii)(C) applies if:

272 (Aa) a new school district is created under this section after a measure is submitted to  
273 voters based on the authority of Subsection (2)(d)(iii)(A); and

274 (Bb) the creation of the new school district results in an isolated area.

275 (II) The isolated area shall, on July 1 of the second calendar year following the election  
276 at which voters approve the creation of a new school district, become part of the municipality's  
277 school district.

278 (III) Unless the isolated area is the only remaining part of the existing district, the  
279 process described in Subsection (4) shall be modified to:

280 (Aa) include a third transition team, appointed by the local school board of the  
281 municipality's school district, to represent that school district;

282 (Bb) require allocation of the existing district's property among the new district, the  
283 remaining district, and the municipality's school district;

284 (Cc) require each of the three transition teams to appoint one member to the  
285 three-member arbitration panel, if an arbitration panel is established; and

286 (Dd) require the municipality's school district to bear 1/3 of the costs of arbitration.

287 (IV) The existing district shall continue to provide educational services to the isolated  
288 area until July 1 of the second calendar year following the election at which voters approve the  
289 creation of a new school district.

290 (3) (a) If a proposal under this section is approved by voters:

291 (i) an election shall be held on the June special election date, as provided in Section  
292 20A-1-204, in the year following the election at which voters approved the creation of a new  
293 school district, to elect:

294 (A) all members to the board of the new school district; and

295 (B) all members to the board of the remaining district;

296 (ii) school district property shall be divided between the existing school district and the  
297 new school district as provided in Subsection (4);

298 (iii) transferred employees shall be treated in accordance with Sections 53A-2-116 and  
299 53A-2-122; ~~and~~

300 (iv) (A) an individual residing within the boundaries of a new school district at the time  
301 the new school district is created may, for six school years after the creation of the new school  
302 district, elect to enroll in a secondary school located outside the boundaries of the new school  
303 district if:

304 (I) the individual resides within the boundaries of that secondary school as of the day  
305 before the new school district is created; and

306 (II) the individual would have been eligible to enroll in that secondary school had the  
307 new school district not been created; and

308 (B) the school district in which the secondary school is located shall provide  
309 educational services, including, if provided before the creation of the new school district,

310 busing, to each individual making an election under Subsection (3)(a)(iv)(A) for each school  
311 year for which the individual makes the election; and

312 ~~(iv)~~ (v) within one year after the new district begins providing educational services,  
313 the superintendent of each remaining district affected and the superintendent of the new district  
314 shall meet, together with the Superintendent of Public Instruction, to determine if further  
315 boundary changes should be proposed in accordance with Section 53A-2-104 or Subsection  
316 53A-2-118(2).

317 (b) Each member elected to a school district board of a new district and remaining  
318 district at an election under Subsection (3)(a)(i) shall take office on July 15 immediately  
319 following the election.

320 (c) (i) Subject to Subsection (3)(c)(ii), the terms of the initial members of the school  
321 district board of the new district and remaining district who are elected at an election under  
322 Subsection (3)(a)(i) shall be staggered and adjusted by the county legislative body so that:

323 (A) the school district board members' successors are elected at a future regular general  
324 election; and

325 (B) the terms of their successors coincide with the schedule of terms for school district  
326 board members established in Section 20A-14-202.

327 (ii) (A) The term of a member elected to a school district board at an election under  
328 Subsection (3)(a)(i) may not be less than 17 months.

329 (B) In order to comply with the requirements of Subsection (3)(c)(i), the term of a  
330 member elected to a school district board at an election under Subsection (3)(a)(i) held in an  
331 even-numbered year may exceed four years but may not exceed five years.

332 (d) (i) The term of each member of the school district board of the existing district  
333 terminates on July 15 of the second year after the election at which voters approve the creation  
334 of a new district, regardless of when the term would otherwise have terminated.

335 (ii) Notwithstanding the election of a board for the new district and a board for the  
336 remaining district under Subsection (3)(a)(i), the board of the existing district shall continue,  
337 until the time specified in Subsection 53A-2-118(5)(b)(ii)(A), to function and exercise authority

338 as a board to the extent necessary to continue to provide educational services to the entire  
339 existing district as though the new district had not been created.

340 (iii) A person may simultaneously serve as a member of the board of an existing district  
341 and a member of the board of:

342 (A) a new district; or

343 (B) a remaining district.

344 (4) (a) Within 30 days after the canvass of an election at which voters approve the  
345 creation of a new school district under this section:

346 (i) a transition team to represent the remaining district shall be appointed by the  
347 members of the existing district board who reside within the area of the remaining district, in  
348 consultation with:

349 (A) the legislative bodies of all municipalities in the area of the remaining district; and

350 (B) the legislative body of the county in which the remaining district is located, if the  
351 remaining district includes one or more unincorporated areas of the county; and

352 (ii) another transition team to represent the new district shall be appointed by:

353 (A) for a new district located entirely within the boundaries of a single city, the  
354 legislative body of that city; or

355 (B) for each other new district, the legislative bodies of all interlocal agreement  
356 participants.

357 (b) The local board of the existing school district shall:

358 (i) within 30 days after the canvass of an election at which voters approve the creation  
359 of a new school district under this section, prepare an inventory of the existing district's assets  
360 and liabilities; and

361 (ii) within 45 days after the canvass, deliver a copy of the inventory to each of the  
362 transition teams.

363 (c) (i) (A) The transition teams appointed under Subsection (4)(a) shall, subject to  
364 Subsection (4)(c)(iii), determine the allocation of the existing district's property between the  
365 remaining district and the new district in accordance with Subsection (4)(c)(ii).

366 (B) The transition teams shall determine the allocation under Subsection (4)(c)(i)(A)  
367 before July 1 of the year following the election at which voters approve the creation of a new  
368 district, unless that deadline is extended by the mutual agreement of:

369 (I) the school district board of the remaining district; and

370 (II) (Aa) the legislative body of the city in which the new district is located, for a new  
371 district located entirely within a single city; or

372 (Bb) the legislative bodies of all interlocal agreement participants, for each other new  
373 district.

374 (ii) Subject to Subsection (4)(c)(iii), all property of the existing district, both tangible  
375 and intangible, real and personal, shall be allocated between the existing district and the new  
376 district in a way that is fair and equitable to both the existing district and the new district, taking  
377 into account:

378 (A) the relative student populations between the existing district and new district;

379 (B) the relative assessed value of taxable property between the existing district and the  
380 new district;

381 (C) the historical amount of property used to deliver educational services to students in  
382 the existing district and the new district; and

383 (D) any other factors that the transition teams consider relevant in dividing the property  
384 in a fair and equitable manner.

385 (iii) (A) The transition teams shall allocate school buildings and associated property  
386 used primarily to provide educational services to local residents and not serving district-wide  
387 purposes to the school district in which the buildings are geographically located after the  
388 creation of the new district.

389 (B) Except as provided in Subsection (4)(c)(iii)(A), nothing in this Subsection (4)(c)  
390 may be construed to limit the ability of the transition teams to:

391 (I) provide that an existing district's property be shared by a remaining district and new  
392 district;

393 (II) determine, by mutual agreement, that the value of the school buildings and

394 associated property described in Subsection (4)(c)(iii)(A) may be excluded from consideration  
395 in the asset allocation process under this Subsection (4)(c); or

396 (III) provide for any other arrangement with respect to existing district property that is  
397 beneficial to and in the best interests of the remaining district and new district.

398 (d) (i) Each disagreement between the transition teams about the proper allocation of  
399 property between the districts shall be resolved by binding arbitration to a three-member  
400 arbitration panel.

401 (ii) Each transition team shall appoint one member to an arbitration panel under this  
402 Subsection (4)(d), and those two members shall appoint a third member.

403 (iii) The costs of arbitration shall initially be borne entirely by the existing district, but  
404 the new district shall reimburse the existing district half of those costs within one year after the  
405 new district begins providing educational services.

406 (e) Each decision of the transition teams and of the arbitration panel resolving a  
407 disagreement between the transition teams is final and binding on the boards of the existing  
408 district and new district.

409 (f) (i) All costs and expenses of the transition team that represents a remaining district  
410 shall be borne by the remaining district.

411 (ii) All costs and expenses of the transition team that represents a new district shall:

412 (A) initially be borne by:

413 (I) the city whose legislative body appoints the transition team, if the transition team is  
414 appointed by the legislative body of a single city; or

415 (II) the interlocal agreement participants, if the transition team is appointed by the  
416 legislative bodies of interlocal agreement participants; and

417 (B) be reimbursed to the city or interlocal agreement participants by the new district  
418 within one year after the new district begins providing educational services.

419 **Section 3. Effective date.**

420 If approved by two-thirds of all the members elected to each house, this bill takes effect  
421 upon approval by the governor, or the day following the constitutional time limit of Utah

422 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,  
423 the date of veto override.