

1                   **STATE BOARD OF EDUCATION BOUNDARY AMENDMENTS**

2                                   2012 GENERAL SESSION

3                                   STATE OF UTAH

4                           **Chief Sponsor: Kenneth W. Sumsion**

5                                   Senate Sponsor: Ralph Okerlund

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7           **LONG TITLE**

8           **General Description:**

9                   This bill makes minor adjustments to State Board of Education district boundaries to  
10           reconcile United States Census data with state maps and to resolve certain election  
11           administration issues.

12           **Highlighted Provisions:**

13                   This bill:

- 14                   ▶ defines terms;
- 15                   ▶ makes changes to State Board of Education district boundaries to reconcile United  
16           States Census data with state maps;
- 17                   ▶ makes changes to State Board of Education district boundaries to resolve certain  
18           election administration issues; and
- 19                   ▶ makes technical corrections.

20           **Money Appropriated in this Bill:**

21                   None

22           **Other Special Clauses:**

23                   This bill provides an immediate effective date.

24           **Utah Code Sections Affected:**

25           AMENDS:

26                   **20A-14-101.5**, as enacted by Laws of Utah 2011, Third Special Session, Chapter 3

27                   **20A-14-102**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 3



28 20A-14-102.2, as last amended by Laws of Utah 2011, Third Special Session, Chapter 3

29 20A-14-102.3, as last amended by Laws of Utah 2011, Third Special Session, Chapter 3



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

32 Section 1. Section 20A-14-101.5 is amended to read:

33 20A-14-101.5. State Board of Education -- Number of members -- State Board of  
34 Education district boundaries.

35 (1) As used in this section:

36 (a) "County boundary" means the county boundary's location in the database as of  
37 January 1, 2010.

38 (b) "Database" means the State Geographic Information Database created in Section  
39 63F-1-507.

40 (c) "Local school district boundary" means the local school district boundary's location  
41 in the database as of January 1, 2010.

42 (d) "Municipal boundary" means the municipal boundary's location in the database as  
43 of January 1, 2010.

44 [(+) (2) The State Board of Education shall consist of 15 members, with one member  
45 to be elected from each State Board of Education district.

46 [(2) The] (3) Except as modified in Subsection (5), the Legislature adopts the official  
47 census population figures and maps of the Bureau of the Census of the United States  
48 Department of Commerce developed in connection with the taking of the 2010 national  
49 decennial census as the official data for establishing State Board of Education district  
50 boundaries.

51 [(3)] (4) (a) [The] Except as modified in Subsection (5), the Legislature enacts the  
52 numbers and boundaries of the State Board of Education districts designated in the Board block  
53 assignment file that is the electronic component of the bill that enacts this section.

54 (b) That Board block assignment file, and the State Board of Education district  
55 boundaries generated from that Board block assignment file, together with modifications made  
56 by Subsection (5), may be accessed via the Utah Legislature's website.

57 (5) (a) The following census blocks from the 2010 Census are placed into State Board  
58 of Education District 1 and removed from State Board of Education District 2:

59 490572105053022, 490572105053023, 490572105053032, and 490572105053033.

60 (b) The following census blocks from the 2010 Census are placed into State Board of  
61 Education District 2 and removed from State Board of Education District 1:

62 490572104031002, 490572104031003, 490572104031008, 490572104031009,  
63 490572104031010, 490572104031014, 490572104042050, 490572104042060, and  
64 490572104042061.

65 (c) The following census blocks from the 2010 Census are placed into State Board of  
66 Education District 4 and removed from State Board of Education District 2:

67 490572105112040, 490572105112042, 490572105112043, and 490572105123002.

68 (d) The following census blocks from the 2010 Census are placed into State Board of  
69 Education District 4 and removed from State Board of Education District 5: 490111251021028  
70 and 490111251021047.

71 (e) The following census blocks from the 2010 Census are placed into State Board of  
72 Education District 6 and removed from State Board of Education District 8: 490351135331025  
73 and 490351135331026.

74 (f) The following census block from the 2010 Census is placed into State Board of  
75 Education District 7 and removed from State Board of Education District 12:  
76 490439643061158.

77 (g) The following census blocks from the 2010 Census are placed into State Board of  
78 Education District 8 and removed from State Board of Education District 6:

79 490351135331027, 490351135331032, 490351135331033, 490351135331034, and  
80 490351135331035.

81 (h) The following census blocks from the 2010 Census are placed into State Board of  
82 Education District 9 and removed from State Board of Education District 13:

83 490490022071013, 490490022073011, 490490022073012, 490490022073016,  
84 490490022073017, and 490490101131460.

85 (i) The following census blocks from the 2010 Census are placed into State Board of  
86 Education District 11 and removed from State Board of Education District 6:

87 490351142001009, 490351142001010, 490351142001011, 490351142001012,  
88 490351142001020, and 490351142001021.

89 (j) The following census blocks from the 2010 Census are placed into State Board of

90 Education District 12 and removed from State Board of Education District 9:  
91 490490022011002, 490490022011003, ~~H~~→ [490490022011099;] ←~~H~~ and 490490101122121.

92 (k) The boundary between State Board of Education District 7 and State Board of  
93 Education District 12 is changed to follow the local school district boundary from the  
94 intersection of the local school district boundary with the shared boundary between Morgan  
95 County and Summit County, then along the same local school district boundary generally south  
96 and east to the intersection of the State Board of Education district boundary with the boundary  
97 of Summit County Service Area 3, then projecting the same service area boundary east to  
98 intersect with Interstate 80.

99 (l) The boundary between State Board of Education District 8 and State Board of  
100 Education District 10 is changed to follow 900 East Street south from the intersection of I-215  
101 with 900 East street, south to the intersection of 900 East Street with the Midvale municipal  
102 boundary, then along the Midvale municipal boundary generally west to the intersection of  
103 established State Board of Educations Districts 8, 10, and 11.

104 (m) The boundary between State Board of Education District 8 and State Board of  
105 Education District 11 is changed to follow the Midvale municipal boundary from the  
106 intersection of established State Board of Education Districts 8, 10, and 11, generally west to  
107 the intersection of Midvale municipal boundary with Interstate 15.

108 (n) The boundary of State Board of Education District 9 is changed to follow the Lehi  
109 City municipal boundary so that all of Lehi City is within State Board of Education District 9.

110 (o) The boundary between State Board of Education District 9 and State Board of  
111 Education District 12 is changed to follow the Pleasant Grove municipal boundary from the  
112 southernmost intersection of the Pleasant Grove municipal boundary with State Street generally  
113 east to the intersection of the Pleasant Grove municipal boundary with the Murdock Canal.

114 (p) The boundary of State Board of Education District 11 is changed to follow State  
115 Highway 73 from the easternmost point where State Highway 73 intersects with the established  
116 boundary between State Board of Education Districts 9 and 11, east to the intersection of State  
117 Highway 73 with State Highway 68, then north to the southernmost intersection of State  
118 Highway 68 with the Lehi municipal boundary, then following the Lehi municipal boundary  
119 north to the next point where the Lehi municipal boundary intersects with State Highway 68,  
120 then following the Lehi municipal boundary generally east, north, and west to the next

121 intersection of the Lehi municipal boundary with State Highway 68.

121a **H→ (q) The following census block from the 2010 Census is placed into State Board of**  
 121b **Education District 12 and removed from State Board of Education District**

121c **13: 490490022011099. ←H**

122 Section 2. Section **20A-14-102** is amended to read:

123 **20A-14-102. State Board of Education districts.**

124 (1) (a) The Legislature shall file a copy of the Board block assignment file enacted by  
 125 the Legislature with the lieutenant governor's office.

126 (b) ~~[The]~~ Except as provided in Subsection 20A-14-101.5(5), the legal boundaries of  
 127 State Board of Education districts are contained in the Board block assignment file on file with  
 128 the lieutenant governor's office.

129 (2) (a) The lieutenant governor shall:

130 (i) generate maps of each State Board of Education district from the Board block  
 131 assignment file and modifications to boundaries made in Subsection 20A-14-101.5(5); and

132 (ii) ensure that those maps are available for viewing on the lieutenant governor's  
 133 website.

134 (b) If there is any inconsistency between the maps ~~[and]~~, the Board block assignment  
 135 file, and the modifications made to boundaries in Subsection 20A-14-101.5(5), the Board block  
 136 assignment file ~~[is]~~ as adjusted by the modifications to boundaries made in Subsection  
 137 20A-14-101.5(5), are controlling.

138 Section 3. Section **20A-14-102.2** is amended to read:

139 **20A-14-102.2. Uncertain boundaries -- How resolved.**

140 (1) As used in this section~~[-,"affected"]~~:

141 (a) "Affected party" means:

142 ~~[(a)]~~ (i) a state school board member whose State Board of Education district boundary  
 143 is uncertain because the ~~[boundary]~~ feature used to establish the district boundary in the Board  
 144 block assignment file ~~[used to establish the district boundary]~~ or in any modifications to the  
 145 boundary made in Subsection 20A-14-101.5(5) has been removed, modified, or is unable to be  
 146 identified or who is uncertain about whether or not the member or another person resides in a  
 147 particular State Board of Education district;

148 ~~[(b)]~~ (ii) a candidate for state school board whose State Board of Education district  
 149 boundary is uncertain because the ~~[boundary]~~ feature used to establish the district boundary in  
 150 the Board block assignment file ~~[used to establish the district boundary]~~ or in any modification  
 151 to the boundary made in Subsection 20A-14-101.5(5) has been removed, modified, or is unable



152 to be identified or who is uncertain about whether or not the candidate or another person  
153 resides in a particular State Board of Education district; or

154 ~~[(c)]~~ (iii) a person who is uncertain about which State Board of Education district  
155 contains the person's residence because the boundary feature used to establish the district  
156 boundary in the Board block assignment file ~~[used to establish the State Board of Education~~  
157 ~~district boundary has]~~ or in any modification to the boundary made in Subsection  
158 20A-14-101.5(5) been removed, modified, or is unable to be identified.

159 (b) "Feature" means a geographic or other tangible or intangible mark such as a road or  
160 political subdivision boundary that is used to establish a State Board of Education district  
161 boundary.

162 (2) (a) An affected party may file a written request petitioning the lieutenant governor  
163 to determine:

- 164 (i) the precise location of the State Board of Education district boundary;  
165 (ii) the number of the State Board of Education district in which a person resides; or  
166 (iii) both Subsections (2)(a)(i) and (ii).

167 (b) In order to make the determination required by Subsection (2)(a), the lieutenant  
168 governor shall review:

- 169 (i) the Board block assignment file ~~[and obtain and review]~~;  
170 (ii) the modifications to the boundary made in Subsection 20A-14-101.5(5); and  
171 (iii) other relevant data such as aerial photographs, aerial maps, or other data about the  
172 area.

173 (c) Within five days of receipt of the request, the lieutenant governor shall:

- 174 (i) review the Board block assignment file ~~[, obtain and]~~;  
175 (ii) review the modifications to the boundary made in Subsection 20A-14-101.5(5);  
176 (iii) review any relevant data~~[-]~~; and  
177 (iv) make a determination.

178 (d) If the lieutenant governor determines the precise location of the State Board of  
179 Education district boundary, the lieutenant governor shall:

- 180 (i) prepare a certification identifying the appropriate State Board of Education district  
181 boundary and attaching a map, if necessary; and  
182 (ii) send a copy of the certification to:

- 183 (A) the affected party;
- 184 (B) the county clerk of the affected county; and
- 185 (C) the Automated Geographic Reference Center created under Section 63F-1-506.

186 (e) If the lieutenant governor determines the number of the State Board of Education  
 187 district in which a particular person resides, the lieutenant governor shall send a letter  
 188 identifying that district by number to:

- 189 (i) the person;
- 190 (ii) the affected party who filed the petition, if different than the person whose State  
 191 Board of Education district number was identified; and
- 192 (iii) the county clerk of the affected county.

193 Section 4. Section **20A-14-102.3** is amended to read:

194 **20A-14-102.3. County clerk, Automated Geographic Reference Center, and**  
 195 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

196 (1) As used in this section, "redistricting boundary data" means the State Board of  
 197 Education block assignment file and any modifications made to the State Board of Education  
 198 district boundaries by Subsection 20A-14-101.5(5).

199 [~~(1)~~] (2) Each county clerk shall obtain a copy of the [~~Board block assignment file~~]  
 200 redistricting boundary data for the clerk's county from the lieutenant governor's office.

201 [~~(2)~~] (3) (a) A county clerk may create one or more county maps that identify the  
 202 boundaries of State Board of Education districts as generated from the [~~Board block~~  
 203 ~~assignment file~~] redistricting boundary data.

204 (b) Before publishing or distributing any map or data created by the county clerk that  
 205 identifies the boundaries of State Board of Education districts within the county, the clerk shall  
 206 submit the county map and data to the lieutenant governor and to the Automated Geographic  
 207 Reference Center for review.

208 (c) Within 30 days after receipt of a county map and data from a county clerk, the  
 209 Automated Geographic Reference Center shall:

210 (i) review the county map and data to evaluate if the county map and data accurately  
 211 reflect the boundaries of State Board of Education districts established by the Legislature in the  
 212 [~~Board block assignment file~~] redistricting boundary data;

213 (ii) determine whether the county map and data are correct or incorrect; and



214 (iii) communicate those findings to the lieutenant governor.

215 (d) The lieutenant governor shall either notify the county clerk that the county map and  
216 data are correct or inform the county clerk that the county map and data are incorrect.

217 (e) If the county clerk receives notice from the lieutenant governor that the county map  
218 and data submitted are incorrect, the county clerk shall:

219 (i) make the corrections necessary to conform the county map and data to the [~~Board~~  
220 ~~block assignment file~~] redistricting boundary data; and

221 (ii) resubmit the corrected county map and data to the lieutenant governor for a new  
222 review under this Subsection [~~(2)~~] (3).

223 [~~(3)~~] (4) (a) Subject to the requirements of this Subsection [~~(3)~~] (4), each county clerk  
224 shall establish voting precincts and polling places within each State Board of Education district  
225 according to the procedures and requirements of Section 20A-5-303.

226 (b) Within five working days after approval of voting precincts and polling places by  
227 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a  
228 voting precinct map identifying the boundaries of each voting precinct within the county to the  
229 lieutenant governor and to the Automated Geographic Reference Center for review.

230 (c) Within 30 days after receipt of a voting precinct map from a county clerk, the  
231 Automated Geographic Reference Center shall:

232 (i) review the voting precinct map to evaluate if the voting precinct map accurately  
233 reflects the boundaries of State Board of Education districts established by the Legislature in  
234 the [~~Board block assignment file~~] redistricting boundary data;

235 (ii) determine whether the voting precinct map is correct or incorrect; and

236 (iii) communicate those findings to the lieutenant governor.

237 (d) The lieutenant governor shall either notify the county clerk that the voting precinct  
238 map is correct or notify the county clerk that the voting precinct map is incorrect.

239 (e) If the county clerk receives notice from the lieutenant governor that the voting  
240 precinct map is incorrect, the county clerk shall:

241 (i) make the corrections necessary to conform the voting precinct map to the [~~Board~~  
242 ~~block assignment file~~] redistricting boundary data; and

243 (ii) resubmit the corrected voting precinct map to the lieutenant governor and to the  
244 Automated Geographic Reference Center for a new review under this Subsection [~~(3)~~] (4).

245 Section 5. **Effective date.**

246 If approved by two-thirds of all the members elected to each house, this bill takes effect

247 upon approval by the governor, or the day following the constitutional time limit of Utah

248 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,

249 the date of veto override.

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**Legislative Review Note**

as of 1-24-12 7:19 AM

**Office of Legislative Research and General Counsel**