

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

6

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

30

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 ~~[(1)]~~ (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, 490490022011099, 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.

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.

Legislative Review Note

as of 1-24-12 7:19 AM

Office of Legislative Research and General Counsel