

**PUBLIC SCHOOL SEISMIC STUDIES**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Gage Froerer**

Senate Sponsor: Scott K. Jenkins

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**LONG TITLE**

**General Description:**

This bill imposes requirements on a school district regarding seismic safety evaluations of school buildings.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires a school district to conduct or update a seismic safety evaluation of a school district building constructed before 1975 if the school district issues certain general obligation bonds on or after July 1, 2013;
- ▶ provides that a school district is not required to conduct or update a seismic safety evaluation of a building constructed before 1975 if a seismic safety evaluation was performed on the building within the 25-year period before the school district issues certain general obligation bonds; and
- ▶ provides that the creation of a seismic safety evaluation of a school, or a list of schools needing seismic upgrades, shall not be construed as expanding or changing the state's or a school district's common law duty of care for liability purposes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

30           **53A-18-107**, Utah Code Annotated 1953

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

33           Section 1. Section **53A-18-107** is enacted to read:

34           **53A-18-107. Requirement to conduct seismic safety evaluations when issuing a**  
35 **bond.**

36           (1) As used in this section:

37           (a) "Federal guidelines" means guidelines and procedures specified in "Rapid Visual  
38 Screening of Buildings for Potential Seismic Hazards: A Handbook, 2nd Edition" published by  
39 the United States Federal Emergency Management Agency.

40           (b) "Qualifying general obligation bond" means a bond:

41           (i) issued pursuant to Title 11, Chapter 14, Local Government Bonding Act; and

42           (ii) authorized by an election held on or after July 1, 2013.

43           (c) "Seismic safety evaluation" means a seismic safety rapid visual screening evaluated  
44 in accordance with federal guidelines or a more detailed seismic structural evaluation.

45           (2) If a school district issues a qualifying general obligation bond, the school district  
46 shall:

47           (a) except as provided in Subsection (4), conduct or update a seismic safety evaluation  
48 of each school district building:

49           (i) constructed before 1975; and

50           (ii) used by the school district as a school; and

51           (b) provide a copy of a seismic safety evaluation prepared under Subsection (2)(a) to  
52 the Utah Seismic Safety Commission created in Section 63C-6-101.

53           (3) A seismic safety evaluation conducted under Subsection (2) shall be conducted by a  
54 licensed structural engineer familiar with seismic codes.

55           (4) A school district is not required to conduct or update a seismic safety evaluation of  
56 a building as required in Subsection (2)(a) if:

57           (a) a seismic safety evaluation was performed on the building within the 25-year period

58 before the school district issues the qualifying general obligation bond; and

59 (b) the school district provides a copy of the school district's seismic safety evaluation  
60 described in Subsection (4)(a) to the Utah Seismic Safety Commission.

61 (5) Creation of a seismic safety evaluation of a school, or a list of schools needing  
62 seismic upgrades, shall not be construed as expanding or changing the state's or a school  
63 district's common law duty of care for liability purposes.