

**Micro-education Entity Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Lincoln Fillmore**

House Sponsor: Thomas W. Peterson

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**LONG TITLE**

**General Description:**

This bill amends provisions regarding a facility in which a micro-education entity or home-based microschool operates.

**Highlighted Provisions:**

This bill:

- expands the types of facilities in which a micro-education entity or home-based microschool may operate by expanding the sets of occupancy requirements the facility may satisfy;
- removes certain square footage requirements; and
- excludes a micro-education entity or home-based microschool from a definition of "school" that subjects schools to certain administrative regulations.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

**10-9a-305 (Effective upon governor's approval)**, as last amended by Laws of Utah 2024, Chapter 464

**17-27a-305 (Effective upon governor's approval)**, as last amended by Laws of Utah 2024, Chapter 464

**26B-7-201 (Effective upon governor's approval)**, as last amended by Laws of Utah 2024, Chapter 152

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

Section 1. Section **10-9a-305** is amended to read:

**10-9a-305 (Effective upon governor's approval). Other entities required to conform to municipality's land use ordinances -- Exceptions -- School districts, charter schools, home-based microschools, and micro-education entities -- Submission of development plan and schedule.**

(1)(a) Each county, municipality, school district, charter school, special district, special service district, and political subdivision of the state shall conform to any applicable land use ordinance of any municipality when installing, constructing, operating, or otherwise using any area, land, or building situated within that municipality.

(b) In addition to any other remedies provided by law, when a municipality's land use ordinance is violated or about to be violated by another political subdivision, that municipality may institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent, enjoin, abate, or remove the improper installation, improvement, or use.

(2)(a) Except as provided in Subsection (3), a school district or charter school is subject to a municipality's land use ordinances.

(b)(i) Notwithstanding Subsection (3), a municipality may:

(A) subject a charter school to standards within each zone pertaining to setback, height, bulk and massing regulations, off-site parking, curb cut, traffic circulation, and construction staging; and

(B) impose regulations upon the location of a project that are necessary to avoid unreasonable risks to health or safety, as provided in Subsection (3)(f).

(ii) The standards to which a municipality may subject a charter school under Subsection (2)(b)(i) shall be objective standards only and may not be subjective.

(iii) Except as provided in Subsection (7)(d), the only basis upon which a municipality may deny or withhold approval of a charter school's land use application is the charter school's failure to comply with a standard imposed under Subsection (2)(b)(i).

(iv) Nothing in Subsection (2)(b)(iii) may be construed to relieve a charter school of an obligation to comply with a requirement of an applicable building or safety code to which it is otherwise obligated to comply.

(3) A municipality may not:

(a) impose requirements for landscaping, fencing, aesthetic considerations, construction methods or materials, additional building inspections, municipal building codes,

- 63 building use for educational purposes, or the placement or use of temporary  
64 classroom facilities on school property;
- 65 (b) except as otherwise provided in this section, require a school district or charter  
66 school to participate in the cost of any roadway or sidewalk, or a study on the impact  
67 of a school on a roadway or sidewalk, that is not reasonably necessary for the safety  
68 of school children and not located on or contiguous to school property, unless the  
69 roadway or sidewalk is required to connect an otherwise isolated school site to an  
70 existing roadway;
- 71 (c) require a district or charter school to pay fees not authorized by this section;
- 72 (d) provide for inspection of school construction or assess a fee or other charges for  
73 inspection, unless the school district or charter school is unable to provide for  
74 inspection by an inspector, other than the project architect or contractor, who is  
75 qualified under criteria established by the state superintendent;
- 76 (e) require a school district or charter school to pay any impact fee for an improvement  
77 project unless the impact fee is imposed as provided in Title 11, Chapter 36a, Impact  
78 Fees Act;
- 79 (f) impose regulations upon the location of an educational facility except as necessary to  
80 avoid unreasonable risks to health or safety; or
- 81 (g) for a land use or a structure owned or operated by a school district or charter school  
82 that is not an educational facility but is used in support of providing instruction to  
83 pupils, impose a regulation that:
- 84 (i) is not imposed on a similar land use or structure in the zone in which the land use  
85 or structure is approved; or
- 86 (ii) uses the tax exempt status of the school district or charter school as criteria for  
87 prohibiting or regulating the land use or location of the structure.
- 88 (4) Subject to Section 53E-3-710, a school district or charter school shall coordinate the  
89 siting of a new school with the municipality in which the school is to be located, to:
- 90 (a) avoid or mitigate existing and potential traffic hazards, including consideration of the  
91 impacts between the new school and future highways; and
- 92 (b) maximize school, student, and site safety.
- 93 (5) Notwithstanding Subsection (3)(d), a municipality may, at its discretion:
- 94 (a) provide a walk-through of school construction at no cost and at a time convenient to  
95 the district or charter school; and
- 96 (b) provide recommendations based upon the walk-through.

- (6)(a) Notwithstanding Subsection (3)(d), a school district or charter school shall use:
- (i) a municipal building inspector;
  - (ii)(A) for a school district, a school district building inspector from that school district; or
  - (B) for a charter school, a school district building inspector from the school district in which the charter school is located; or
  - (iii) an independent, certified building inspector who ~~is not~~ is not an employee of the contractor, licensed to perform the inspection that the inspector is requested to perform, and approved ~~by a~~ by a municipal building inspector or:
    - (A) for a school district, a school district building inspector from that school district; or
    - (B) for a charter school, a school district building inspector from the school district in which the charter school is located.
- (b) The approval under Subsection (6)(a)(iii) may not be unreasonably withheld.
- (c) If a school district or charter school uses a school district or independent building inspector under Subsection (6)(a)(ii) or (iii), the school district or charter school shall submit to the state superintendent of public instruction and municipal building official, on a monthly basis during construction of the school building, a copy of each inspection certificate regarding the school building.
- (7)(a) A charter school, home-based microschool, or micro-education entity shall be considered a permitted use in all zoning districts within a municipality.
- (b) Each land use application for any approval required for a charter school, home-based microschool, or micro-education entity, including an application for a building permit, shall be processed on a first priority basis.
  - (c) Parking requirements for a charter school or a micro-education entity may not exceed the minimum parking requirements for schools or other institutional public uses throughout the municipality.
  - (d) If a municipality has designated zones for a sexually oriented business, or a business which sells alcohol, a charter school or a micro-education entity may be prohibited from a location which would otherwise defeat the purpose for the zone unless the charter school or micro-education entity provides a waiver.
  - (e)(i) A school district, charter school, or micro-education entity may seek a certificate authorizing permanent occupancy of a school building from:
    - (A) the state superintendent of public instruction, as provided in Subsection

- 131 53E-3-706(3), if the school district or charter school used an independent  
132 building inspector for inspection of the school building; or  
133 (B) a municipal official with authority to issue the certificate, if the school district,  
134 charter school, or micro-education entity used a municipal building inspector  
135 for inspection of the school building.
- 136 (ii) A school district may issue its own certificate authorizing permanent occupancy  
137 of a school building if it used its own building inspector for inspection of the  
138 school building, subject to the notification requirement of Subsection 53E-3-706  
139 (3)(a)(ii).
- 140 (iii) A charter school or micro-education entity may seek a certificate authorizing  
141 permanent occupancy of a school building from a school district official with  
142 authority to issue the certificate, if the charter school or micro-education entity  
143 used a school district building inspector for inspection of the school building.
- 144 (iv) A certificate authorizing permanent occupancy issued by the state superintendent  
145 of public instruction under Subsection 53E-3-706(3) or a school district official  
146 with authority to issue the certificate shall be considered to satisfy any municipal  
147 requirement for an inspection or a certificate of occupancy.
- 148 (f)(i) A micro-education entity may operate in a facility that meets Group E  
149 Occupancy requirements as defined by the International Building Code, as  
150 incorporated by Subsection 15A-2-103(1)(a).
- 151 (ii) A micro-education entity operating in a facility described in Subsection (7)(f)(i)[:]  
152 [(A)] may have up to 100 students in the facility[; and] .  
153 [~~(B) shall have enough space for at least 20 net square feet per student.~~]
- 154 (g) A micro-education entity may operate in a facility that is subject to and complies  
155 with the same occupancy requirements as a Class A-1, A-3, B, or M Occupancy as  
156 defined by the International Building Code, as incorporated by Subsection 15A-2-103  
157 (1)(a), if:
- 158 (i) the facility has a code compliant fire alarm system and carbon monoxide detection  
159 system;
- 160 (ii)(A) each classroom in the facility has an exit directly to the outside at the level  
161 of exit or discharge; or  
162 (B) the structure has a code compliant fire sprinkler system; and
- 163 (iii) the facility has an automatic fire sprinkler system in fire areas of the facility that  
164 are greater than 12,000 square feet[; and] .

- 165 ~~[(iv) the facility has enough space for at least 20 net square feet per student.]~~  
166 (h)(i) A home-based microschool is not subject to additional occupancy  
167 requirements beyond occupancy requirements that apply to a primary dwelling[,  
168 except that the home-based microschool shall have enough space for at least 35  
169 net square feet per student].
- 170 (ii) If a floor that is below grade in a home-based microschool is used for home-based  
171 microschool purposes, the below grade floor of the home-based microschool shall  
172 have at least one emergency escape or rescue window that complies with the  
173 requirements for emergency escape and rescue windows as defined by the  
174 International Residential Code, as incorporated by Section 15A-1-210.
- 175 (8)(a) A specified public agency intending to develop its land shall submit to the land  
176 use authority a development plan and schedule:
- 177 (i) as early as practicable in the development process, but no later than the  
178 commencement of construction; and
- 179 (ii) with sufficient detail to enable the land use authority to assess:
- 180 (A) the specified public agency's compliance with applicable land use ordinances;  
181 (B) the demand for public facilities listed in Subsections 11-36a-102(17)(a), (b),  
182 (c), (d), (e), and (g) caused by the development;  
183 (C) the amount of any applicable fee described in Section 10-9a-510;  
184 (D) any credit against an impact fee; and  
185 (E) the potential for waiving an impact fee.
- 186 (b) The land use authority shall respond to a specified public agency's submission under  
187 Subsection (8)(a) with reasonable promptness in order to allow the specified public  
188 agency to consider information the municipality provides under Subsection (8)(a)(ii)  
189 in the process of preparing the budget for the development.
- 190 (9) Nothing in this section may be construed to:
- 191 (a) modify or supersede Section 10-9a-304; or
- 192 (b) authorize a municipality to enforce an ordinance in a way, or enact an ordinance, that  
193 fails to comply with Title 57, Chapter 21, Utah Fair Housing Act, the federal Fair  
194 Housing Amendments Act of 1988, 42 U.S.C. Sec. 3601 et seq., the Americans with  
195 Disabilities Act of 1990, 42 U.S.C. Sec. 12102, or any other provision of federal law.
- 196 (10) Nothing in Subsection (7) prevents a political subdivision from:
- 197 (a) requiring a home-based microschool or micro-education entity to comply with  
198 municipal zoning and land use regulations that do not conflict with this section,

including:

- (i) parking;
- (ii) traffic; and
- (iii) hours of operation;
- (b) requiring a home-based microschool or micro-education entity to obtain a business license;
- (c) enacting municipal ordinances and regulations consistent with this section;
- (d) subjecting a micro-education entity to standards within each zone pertaining to setback, height, bulk and massing regulations, off-site parking, curb cut, traffic circulation, and construction staging; and
- (e) imposing regulations on the location of a project that are necessary to avoid risks to health or safety.

Section 2. Section **17-27a-305** is amended to read:

**17-27a-305 (Effective upon governor's approval). Other entities required to conform to county's land use ordinances -- Exceptions -- School districts, charter schools, home-based microschools, and micro-education entities -- Submission of development plan and schedule.**

(1)(a) Each county, municipality, school district, charter school, special district, special service district, and political subdivision of the state shall conform to any applicable land use ordinance of any county when installing, constructing, operating, or otherwise using any area, land, or building situated within a mountainous planning district or the unincorporated portion of the county, as applicable.

(b) In addition to any other remedies provided by law, when a county's land use ordinance is violated or about to be violated by another political subdivision, that county may institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent, enjoin, abate, or remove the improper installation, improvement, or use.

(2)(a) Except as provided in Subsection (3), a school district or charter school is subject to a county's land use ordinances.

(b)(i) Notwithstanding Subsection (3), a county may:

- (A) subject a charter school to standards within each zone pertaining to setback, height, bulk and massing regulations, off-site parking, curb cut, traffic circulation, and construction staging; and
- (B) impose regulations upon the location of a project that are necessary to avoid

- 233 unreasonable risks to health or safety, as provided in Subsection (3)(f).
- 234 (ii) The standards to which a county may subject a charter school under Subsection
- 235 (2)(b)(i) shall be objective standards only and may not be subjective.
- 236 (iii) Except as provided in Subsection (7)(d), the only basis upon which a county may
- 237 deny or withhold approval of a charter school's land use application is the charter
- 238 school's failure to comply with a standard imposed under Subsection (2)(b)(i).
- 239 (iv) Nothing in Subsection (2)(b)(iii) may be construed to relieve a charter school of
- 240 an obligation to comply with a requirement of an applicable building or safety
- 241 code to which it is otherwise obligated to comply.
- 242 (3) A county may not:
- 243 (a) impose requirements for landscaping, fencing, aesthetic considerations, construction
- 244 methods or materials, additional building inspections, county building codes,
- 245 building use for educational purposes, or the placement or use of temporary
- 246 classroom facilities on school property;
- 247 (b) except as otherwise provided in this section, require a school district or charter
- 248 school to participate in the cost of any roadway or sidewalk, or a study on the impact
- 249 of a school on a roadway or sidewalk, that is not reasonably necessary for the safety
- 250 of school children and not located on or contiguous to school property, unless the
- 251 roadway or sidewalk is required to connect an otherwise isolated school site to an
- 252 existing roadway;
- 253 (c) require a district or charter school to pay fees not authorized by this section;
- 254 (d) provide for inspection of school construction or assess a fee or other charges for
- 255 inspection, unless the school district or charter school is unable to provide for
- 256 inspection by an inspector, other than the project architect or contractor, who is
- 257 qualified under criteria established by the state superintendent;
- 258 (e) require a school district or charter school to pay any impact fee for an improvement
- 259 project unless the impact fee is imposed as provided in Title 11, Chapter 36a, Impact
- 260 Fees Act;
- 261 (f) impose regulations upon the location of an educational facility except as necessary to
- 262 avoid unreasonable risks to health or safety; or
- 263 (g) for a land use or a structure owned or operated by a school district or charter school
- 264 that is not an educational facility but is used in support of providing instruction to
- 265 pupils, impose a regulation that:
- 266 (i) is not imposed on a similar land use or structure in the zone in which the land use



- 267 or structure is approved; or
- 268 (ii) uses the tax exempt status of the school district or charter school as criteria for
- 269 prohibiting or regulating the land use or location of the structure.
- 270 (4) Subject to Section 53E-3-710, a school district or charter school shall coordinate the
- 271 siting of a new school with the county in which the school is to be located, to:
- 272 (a) avoid or mitigate existing and potential traffic hazards, including consideration of the
- 273 impacts between the new school and future highways; and
- 274 (b) maximize school, student, and site safety.
- 275 (5) Notwithstanding Subsection (3)(d), a county may, at its discretion:
- 276 (a) provide a walk-through of school construction at no cost and at a time convenient to
- 277 the district or charter school; and
- 278 (b) provide recommendations based upon the walk-through.
- 279 (6)(a) Notwithstanding Subsection (3)(d), a school district or charter school shall use:
- 280 (i) a county building inspector;
- 281 (ii)(A) for a school district, a school district building inspector from that school
- 282 district; or
- 283 (B) for a charter school, a school district building inspector from the school
- 284 district in which the charter school is located; or
- 285 (iii) an independent, certified building inspector who ~~is not~~ is not an employee of the
- 286 contractor, licensed to perform the inspection that the inspector is requested to
- 287 perform, ~~[and approved by a]~~ and approved by a county building inspector or:
- 288 (A) for a school district, a school district building inspector from that school
- 289 district; or
- 290 (B) for a charter school, a school district building inspector from the school
- 291 district in which the charter school is located.
- 292 (b) The approval under Subsection (6)(a)(iii) may not be unreasonably withheld.
- 293 (c) If a school district or charter school uses a school district or independent building
- 294 inspector under Subsection (6)(a)(ii) or (iii), the school district or charter school shall
- 295 submit to the state superintendent of public instruction and county building official,
- 296 on a monthly basis during construction of the school building, a copy of each
- 297 inspection certificate regarding the school building.
- 298 (7)(a) A charter school, home-based microschool, or micro-education entity shall be
- 299 considered a permitted use in all zoning districts within a county.
- 300 (b) Each land use application for any approval required for a charter school, home-based

microschool, or micro-education entity, including an application for a building permit, shall be processed on a first priority basis.

(c) Parking requirements for a charter school or micro-education entity may not exceed the minimum parking requirements for schools or other institutional public uses throughout the county.

(d) If a county has designated zones for a sexually oriented business, or a business which sells alcohol, a charter school or micro-education entity may be prohibited from a location which would otherwise defeat the purpose for the zone unless the charter school or micro-education entity provides a waiver.

(e)(i) A school district, charter school, or micro-education entity may seek a certificate authorizing permanent occupancy of a school building from:

(A) the state superintendent of public instruction, as provided in Subsection

53E-3-706(3), if the school district, charter school, or micro-education entity used an independent building inspector for inspection of the school building; or

(B) a county official with authority to issue the certificate, if the school district, charter school, or micro-education entity used a county building inspector for inspection of the school building.

(ii) A school district may issue its own certificate authorizing permanent occupancy of a school building if it used its own building inspector for inspection of the school building, subject to the notification requirement of Subsection 53E-3-706 (3)(a)(ii).

(iii) A charter school or micro-education entity may seek a certificate authorizing permanent occupancy of a school building from a school district official with authority to issue the certificate, if the charter school or micro-education entity used a school district building inspector for inspection of the school building.

(iv) A certificate authorizing permanent occupancy issued by the state superintendent of public instruction under Subsection 53E-3-706(3) or a school district official with authority to issue the certificate shall be considered to satisfy any county requirement for an inspection or a certificate of occupancy.

(f)(i) A micro-education entity may operate a facility that meets Group E Occupancy requirements as defined by the International Building Code, as incorporated by Subsection 15A-2-103(1)(a).

(ii) A micro-education entity operating in a facility described in Subsection (7)(f)(i)[:]  
[(A)] may have up to 100 students in the facility[; and] .

- 335           ~~[(B) shall have enough space for at least 20 net square feet per student;]~~
- 336       (g) A micro-education entity may operate a facility that is subject to and complies with
- 337           the same occupancy requirements as a Class A-1, A-3, B, or M Occupancy as defined
- 338           by the International Building Code, as incorporated by Subsection 15A-2-103(1)(a),
- 339           if:
- 340           (i) the facility has a code compliant fire alarm system and carbon monoxide detection
- 341                 system;
- 342           (ii)(A) each classroom in the facility has an exit directly to the outside at the level
- 343                 of exit discharge; or
- 344                 (B) the structure has a code compliant fire sprinkler system; and
- 345           (iii) the facility has an automatic fire sprinkler system in fire areas of the facility that
- 346                 are greater than 12,000 square feet~~[-and]~~ .
- 347           ~~[(iv) the facility has enough space for at least 20 net square feet per student.]~~
- 348       (h)(i) A home-based microschool is not subject to additional occupancy requirements
- 349           beyond occupancy requirements that apply to a primary dwelling~~[-except that the~~
- 350           ~~home-based microschool shall have enough space for at least 35 square feet per~~
- 351           ~~student]~~.
- 352           (ii) If a floor that is below grade in a home-based microschool is used for home-based
- 353                 microschool purposes, the below grade floor of the home-based microschool shall
- 354                 have at least one emergency escape or rescue window that complies with the
- 355                 requirements for emergency escape and rescue windows as defined by the
- 356                 International Residential Code, as incorporated in Section 15A-1-210.
- 357       (8)(a) A specified public agency intending to develop its land shall submit to the land
- 358           use authority a development plan and schedule:
- 359           (i) as early as practicable in the development process, but no later than the
- 360                 commencement of construction; and
- 361           (ii) with sufficient detail to enable the land use authority to assess:
- 362                 (A) the specified public agency's compliance with applicable land use ordinances;
- 363                 (B) the demand for public facilities listed in Subsections 11-36a-102(17)(a), (b),
- 364                 (c), (d), (e), and (g) caused by the development;
- 365                 (C) the amount of any applicable fee described in Section 17-27a-509;
- 366                 (D) any credit against an impact fee; and
- 367                 (E) the potential for waiving an impact fee.
- 368       (b) The land use authority shall respond to a specified public agency's submission under

Subsection (8)(a) with reasonable promptness in order to allow the specified public agency to consider information the municipality provides under Subsection (8)(a)(ii) in the process of preparing the budget for the development.

(9) Nothing in this section may be construed to:

- (a) modify or supersede Section 17-27a-304; or
- (b) authorize a county to enforce an ordinance in a way, or enact an ordinance, that fails to comply with Title 57, Chapter 21, Utah Fair Housing Act, the federal Fair Housing Amendments Act of 1988, 42 U.S.C. Sec. 3601 et seq., the Americans with Disabilities Act of 1990, 42 U.S.C. 12102, or any other provision of federal law.

(10) Nothing in Subsection (7) prevents a political subdivision from:

- (a) requiring a home-based microschool or micro-education entity to comply with local zoning and land use regulations that do not conflict with this section, including:
  - (i) parking;
  - (ii) traffic; and
  - (iii) hours of operation;
- (b) requiring a home-based microschool or micro-education entity to obtain a business license;
- (c) enacting county ordinances and regulations consistent with this section;
- (d) subjecting a micro-education entity to standards within each zone pertaining to setback, height, bulk and massing regulations, off-site parking, curb cut, traffic circulation, and construction staging; and
- (e) imposing regulations on the location of a project that are necessary to avoid risks to health or safety.

(11) Notwithstanding any other provision of law, the proximity restrictions that apply to community locations do not apply to a micro-education entity.

Section 3. Section **26B-7-201** is amended to read:

**26B-7-201 (Effective upon governor's approval). Definitions.**

As used in this part:

- (1) "Ambulatory surgical center" means the same as that term is defined in Section 26B-2-201.
- (2) "Carrier" means an infected individual or animal who harbors a specific infectious agent in the absence of discernible clinical disease and serves as a potential source of infection for man. The carrier state may occur in an individual with an infection that is inapparent throughout its course, commonly known as healthy or asymptomatic carrier, or during

the incubation period, convalescence, and postconvalescence of an individual with a clinically recognizable disease, commonly known as incubatory carrier or convalescent carrier. Under either circumstance the carrier state may be of short duration, as a temporary or transient carrier, or long duration, as a chronic carrier.

(3) "Communicable disease" means illness due to a specific infectious agent or its toxic products which arises through transmission of that agent or its products from a reservoir to a susceptible host, either directly, as from an infected individual or animal, or indirectly, through an intermediate plant or animal host, vector, or the inanimate environment.

(4) "Communicable period" means the time or times during which an infectious agent may be transferred directly or indirectly from an infected individual to another individual, from an infected animal to a human, or from an infected human to an animal, including arthropods.

(5) "Contact" means an individual or animal having had association with an infected individual, animal, or contaminated environment so as to have had an opportunity to acquire the infection.

(6) "End stage renal disease facility" is as defined in Section 26B-2-201.

(7)(a) "Epidemic" means the occurrence or outbreak in a community or region of cases of an illness clearly in excess of normal expectancy and derived from a common or propagated source.

(b) The number of cases indicating an epidemic will vary according to the infectious agent, size, and type of population exposed, previous experience or lack of exposure to the disease, and time and place of occurrence.

(c) Epidemicity is considered to be relative to usual frequency of the disease in the same area, among the specified population, at the same season of the year.

(8) "General acute hospital" is as defined in Section 26B-2-201.

(9) "Incubation period" means the time interval between exposure to an infectious agent and appearance of the first sign or symptom of the disease in question.

(10) "Infected individual" means an individual who harbors an infectious agent and who has manifest disease or inapparent infection. An infected individual is one from whom the infectious agent can be naturally acquired.

(11) "Infection" means the entry and development or multiplication of an infectious agent in the body of man or animals. Infection is not synonymous with infectious disease; the result may be inapparent or manifest. The presence of living infectious agents on

exterior surfaces of the body, or upon articles of apparel or soiled articles, is not infection, but contamination of such surfaces and articles.

(12) "Infectious agent" means an organism such as a virus, rickettsia, bacteria, fungus, protozoan, or helminth that is capable of producing infection or infectious disease.

(13) "Infectious disease" means a disease of man or animals resulting from an infection.

(14) "Isolation" means the separation, for the period of communicability, of infected individuals or animals from others, in such places and under such conditions as to prevent the direct or indirect conveyance of the infectious agent from those infected to those who are susceptible or who may spread the agent to others.

(15) "Local food" means the same as that term is defined in Section 4-1-109.

(16) "Order of constraint" means the same as that term is defined in Section 26B-7-301.

(17) "Quarantine" means the restriction of the activities of well individuals or animals who have been exposed to a communicable disease during its period of communicability to prevent disease transmission.

(18)(a) "School" means a public, private, or parochial nursery school, licensed or unlicensed day care center, child care facility, family care home, Head Start program, kindergarten, elementary, or secondary school through grade 12.

(b) "School" does not mean a micro-education entity or a home-based microschool as those terms are defined in Section 53G-6-201.

(19) "Sexually transmitted disease" means those diseases transmitted through sexual intercourse or any other sexual contact.

(20) "Specialty hospital" is as defined in Section 26B-2-201.

#### Section 4. **Effective Date.**

This bill takes effect:

(1) except as provided in Subsection (2), May 7, 2025; or

(2) if approved by two-thirds of all members elected to each house:

(a) upon approval by the governor;

(b) without the governor's signature, the day following the constitutional time limit of Utah Constitution, Article VII, Section 8; or

(c) in the case of a veto, the date of veto override.