

53A-2-101.5 Filing of notice and plat relating to school district boundary changes including creation, consolidation, division, or dissolution -- Recording requirements -- Effective date.

- (1) The county legislative body shall:
 - (a) within 30 days after the creation, consolidation, division, or dissolution of a school district, file with the lieutenant governor:
 - (i) a copy of a notice of an impending boundary action, as defined in Section 67-1a-6.5, that meets the requirements of Subsection 67-1a-6.5(3); and
 - (ii) except in the case of a dissolution, a copy of an approved final local entity plat, as defined in Section 67-1a-6.5; and
 - (b) upon the lieutenant governor's issuance of a certificate of boundary action under Section 67-1a-6.5:
 - (i) if the school district is or, in the case of dissolution, was located within the boundary of a single county, submit to the recorder of that county:
 - (A) the original:
 - (I) notice of an impending boundary action;
 - (II) certificate of boundary action; and
 - (III) except in the case of dissolution, approved final local entity plat; and
 - (B) if applicable, a certified copy of the resolution approving the boundary action; or
 - (ii) if the school district is or, in the case of a dissolution, was located within the boundaries of more than a single county:
 - (A) submit to the recorder of one of those counties:
 - (I) the original of the documents listed in Subsections (1)(b)(i)(A)(I), (II), and (III); and
 - (II) if applicable, a certified copy of the resolution approving the boundary action; and
 - (B) submit to the recorder of each other county:
 - (I) a certified copy of the documents listed in Subsections (1)(b)(i)(A)(I), (II), and (III); and
 - (II) if applicable, a certified copy of the resolution approving the boundary action.
- (2)
 - (a) Upon the lieutenant governor's issuance of the certificate under Section 67-1a-6.5, the creation, consolidation, division, dissolution, or other change affecting the boundary of a new or existing school district that was the subject of the action has legal effect.
 - (b)
 - (i) As used in this Subsection (2)(b), "affected area" means:
 - (A) in the case of the creation of a school district, the area within the school district's boundary;
 - (B) in the case of the consolidation of multiple school districts, the area within the boundary of each school district that is consolidated into another school district;
 - (C) in the case of the division of a school district, the area within the boundary of the school district created by the division; and
 - (D) in the case of an addition to an existing school district, the area added to the school district.
 - (ii) The effective date of a boundary action, as defined in Section 17-23-20, for purposes of assessing property within the school district is governed by Section 59-2-305.5.
 - (iii) Until the documents listed in Subsection (1)(b) are recorded in the office of the recorder of each county in which the property is located, a school district may not levy or collect a property tax on property within the affected area.

Amended by Chapter 350, 2009 General Session