

LOCAL SCHOOL BOARD AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jack R. Draxler

Senate Sponsor: Stuart C. Reid

LONG TITLE

General Description:

This bill amends provisions related to local school boards.

Highlighted Provisions:

This bill:

- ▶ defines the term "body corporate";
- ▶ provides that an elected member of a local school board serves and represents the residents of the local school board member's district; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-3-401, as enacted by Laws of Utah 1988, Chapter 2

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

Section 1. Section **53A-3-401** is amended to read:

**53A-3-401. Boards of education are bodies corporate -- Seal -- Authority to sue --
Conveyance of property -- Duty to residents of the local school board member's district.**



28 (1) As used in this section, "body corporate" means a public corporation and legal
29 subdivision of the state, vested with the powers and duties of a government entity as specified
30 in this chapter.

31 ~~[(1)]~~ (2) The board of education of a school district is a body corporate under the name
32 of the "Board of Education of School District" (inserting the proper name), and shall
33 have an official seal conformable to its name.

34 ~~[(2)]~~ (3) The seal is used by its business administrator in the authentication of all
35 required matters.

36 ~~[(3)]~~ (4) A local school board may sue and be sued, and may take, hold, lease, sell, and
37 convey real and personal property as the interests of the schools may require.

38 (5) Notwithstanding a local school board's status as a body corporate, an elected
39 member of a local school board serves and represents the residents of the local school board
40 member's district, and that service and representation may not be restricted or impaired by the
41 local school board member's membership on, or obligations to, the local school board.

Legislative Review Note
as of 12-12-13 8:59 AM

Office of Legislative Research and General Counsel