

HB0081S02 compared with HB0081S01

~~text~~ shows text that was in HB0081S01 but was deleted in HB0081S02.

text shows text that was not in HB0081S01 but was inserted into HB0081S02.

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Representative Craig Hall proposes the following substitute bill:

LOCAL SCHOOL BOARD MEETINGS REQUIREMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Craig Hall

Senate Sponsor: _____

LONG TITLE

General Description:

This bill establishes meeting location requirements for local school boards.

Highlighted Provisions:

This bill:

- ▶ requires a local school board to hold the local school board's public meetings within the geographic boundary of the local school board's school district;
- ▶ provides an exception for ~~meetings~~:
 - a meeting held during a ~~declared~~ disaster or local emergency; or
 - a meeting held during a site visit; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

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Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-3-106, as enacted by Laws of Utah 2011, Chapter 107

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

Section 1. Section **53A-3-106** is amended to read:

53A-3-106. Local school board meetings -- Rules of order and procedure --

Location requirements.

~~[(1) As used in this section, "rules of order and procedure" means a set of rules that govern and prescribe in a public meeting:]~~

~~[(a) parliamentary order and procedure;]~~

~~[(b) ethical behavior; and]~~

~~[(c) civil discourse.]~~

(1) As used in this section:

(a) "Disaster" means an event that:

(i) causes, or threatens to cause, loss of life, human suffering, public or private property damage, or economic or social disruption resulting from attack, internal disturbance, natural phenomenon, or technological hazard; and

(ii) requires resources that are beyond the scope of local agencies in routine responses to emergencies and accidents and may be of a magnitude or involve unusual circumstances that require a response by a governmental, not-for-profit, or private entity.

(b) "Local emergency" means a condition in any municipality or county of the state that requires that emergency assistance be provided by the affected municipality or county or another political subdivision to save lives and protect property within its jurisdiction in response to a disaster or to avoid or reduce the threat of a disaster.

(c) "Rules of order and procedure" means a set of rules that governs and prescribes in a public meeting:

(i) parliamentary order and procedure;

(ii) ethical behavior; and

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(iii) civil discourse.

(2) Subject to Subsection (3), a local school board or charter school governing board shall:

(a) adopt rules of order and procedure to govern a public meeting of the local school board;

(b) conduct a public meeting in accordance with the rules of order and procedure described in Subsection (2)(a); and

(c) make the rules of order and procedure described in Subsection (2)(a) available to the public:

(i) at each public meeting of the local school board; and

(ii) on the local school board's public website, if available.

(3) (a) Except as provided in ~~Subsection~~ Subsections (3)(b) and (c), a local school board may not hold a public meeting outside of the geographic boundary of the local school board's school district.

(b) A local school board may hold a public meeting outside of the geographic boundary of the local school board's school district if it is necessary for the local school board to hold a meeting during a disaster or local emergency.

(c) A local school board may hold a public meeting outside of the geographic boundary of the local school board's school district to conduct a site visit if:

(i) the location of the site visit provides the local school board members the opportunity to see or experience an activity that:

(A) relates to the local school board's responsibilities; and

(B) does not exist within the geographic boundaries of the local school board's school district; and

(ii) the local school board does not vote or take other action during the public meeting held at the site visit location.

~~(c)~~ (d) This Subsection (3) does not apply to a charter school governing board.

~~[(3) Subjection (2)(a) does]~~ (4) The requirements of this section do not affect a local school [board's] board or charter school governing board's duty to comply with Title 52, Chapter 4, Open and Public Meetings Act.