

**MUNICIPAL AND COUNTY OFFICIALS ATTENDANCE AT
SCHOOL DISTRICT BOARD MEETINGS**

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: Rich Cunningham

LONG TITLE

General Description:

This bill modifies provisions relating to open and closed meetings of public bodies.

Highlighted Provisions:

This bill:

► modifies provisions relating to school district board meetings that a mayor or county executive or county manager, or designee, may attend.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-3-409, as last amended by Laws of Utah 2009, Chapter 207

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

Section 1. Section **53A-3-409** is amended to read:

53A-3-409. Local governmental entities and school districts -- Contracts and cooperation -- Disbursement of funds -- Municipal and county representative participation in school district board meetings -- Notice required.



28 (1) Local governmental entities and school districts may contract and cooperate with
29 one another in matters affecting the health, welfare, education, and convenience of the
30 inhabitants within their respective territorial limits.

31 (2) A local governmental entity may disburse public funds in aid of a school district
32 located wholly or partially within the limits of its jurisdiction.

33 ~~[(3)(a) A mayor or the mayor's designee of a municipality that is partly or entirely
34 within the boundaries of a school district and the county commission chair, county executive,
35 or county manager, or their designee, of a county with unincorporated area within the
36 boundaries of a school district may attend and participate in the board discussions at the school
37 district's board meetings.]~~

38 (3) (a) As used in this Subsection (3):

39 (i) "Interested county executive" means the county executive or county manager of a
40 county with unincorporated area within the boundary of a school district, or the designee of the
41 county executive or county manager.

42 (ii) "Interested mayor" means the mayor of a municipality that is partly or entirely
43 within the boundary of a school district, or the mayor's designee.

44 (b) An interested mayor and interested county executive may attend and participate in
45 the board discussions at a school district board meeting that is open to the public under Title
46 52, Chapter 4, Open and Public Meetings Act.

47 (c) An interested mayor and interested county executive may attend and participate in
48 the board discussions at a school district board meeting that is closed to the public under Title
49 52, Chapter 4, Open and Public Meetings Act, if:

50 (i) the closed meeting is held for the purpose of discussing the board's disposition or
51 acquisition of real property; or

52 (ii) (A) the meeting is held for the purpose of discussing the character, professional
53 competence, or physical or mental health of the present or a proposed school district
54 superintendent ~~or~~ , ~~deputy superintendent~~ , **business administrator, or equivalent**
54a position ; and

55 (B) the school district board invites the interested mayor or interested county executive
56 to attend the closed meeting.

57 ~~[(b)]~~ (d) Each local school board shall give notice of board meetings to[:] each
58 interested mayor and interested county executive.

59 ~~[(i) the mayor or the mayor's designee of each municipality that is partly or entirely~~
60 ~~within the school district's boundaries; and]~~

61 ~~[(ii) the county commission chair, county executive, or county manager, or their~~
62 ~~designee, of a county with unincorporated area within the school district's boundaries.]~~

63 ~~[(c)]~~ (e) The notice required under Subsection (3)~~[(b)]~~(d) shall be provided by:

64 (i) mail;

65 (ii) e-mail; or

66 (iii) other effective means agreed to by the person to whom notice is given.

Legislative Review Note

as of 1-8-15 8:46 AM

Office of Legislative Research and General Counsel