

1 **LOCAL DISTRICT BOARD APPOINTMENT AMENDMENTS**

2 2017 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: R. Curt Webb**

5 Senate Sponsor: Don L. Ipson

6

7 **LONG TITLE**

8 **General Description:**

9 This bill addresses appointment of a member to a local district board by a county.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ allows a county legislative body to appoint a member of the county legislative body
13 to fill a vacancy on a local district board under certain circumstances.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 **⚡→ [None] This bill provides a special effective date. ←⚡**

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **17B-1-302**, as last amended by Laws of Utah 2016, Chapter 140

21

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

23 Section 1. Section **17B-1-302** is amended to read:

24 **17B-1-302. Board member qualifications -- Number of board members.**

25 (1) (a) Each member of a local district board of trustees shall be:

26 (i) a registered voter at the location of the member's residence; and

27 (ii) except as otherwise provided in this Subsection (1), a resident within:



59 (e) Notwithstanding Subsection (1)(a)(ii), the county legislative body may appoint to
 60 the local district board one of the county legislative body's own members, regardless of whether
 61 the member resides within the boundaries described in Subsection (1)(a)(ii), if:

62 (i) the county legislative body satisfies the procedures to fill a vacancy described in:

63 (A) for the appointment of a new board member, Subsections 17B-1-304(2) and (3); or

64 (B) for an appointment to fill a midterm vacancy, Subsections 20A-1-512(1)(a) and

65 (b);

66 (ii) no qualified candidate timely files to be considered for appointment to the local
 67 district board; and

68 (iii) the county legislative body appoints a member of the body to the local district
 69 board, in accordance with Subsection 17B-1-304(6) or Subsection 20A-1-512(1)(c), who was:

70 (A) elected at large by the voters of the county;

71 (B) elected from a division of the county that includes more than 50% of the

72 geographic area of the local district; or

73 (C) if the local district is divided into divisions under Section 17B-1-306.5, elected

74 from a division of the county that includes more than 50% of the geographic area of the

75 division of the local district in which there is a board vacancy.

76 (2) Except as otherwise provided by statute, the number of members of each board of
 77 trustees of a local district shall be an odd number that is no less than three.

78 (3) For a newly created local district, the number of members of the initial board of
 79 trustees shall be the number specified:

80 (a) for a local district whose creation was initiated by a petition under Subsection

81 17B-1-203(1)(a), (b), or (c), in the petition; or

82 (b) for a local district whose creation was initiated by a resolution under Subsection

83 17B-1-203(1)(d) or (e), in the resolution.

84 (4) (a) For an existing local district, the number of members of the board of trustees
 85 may be changed by a two-thirds vote of the board of trustees.

86 (b) No change in the number of members of a board of trustees under Subsection (4)(a)
 87 may:

88 (i) violate Subsection (2); or

89 (ii) serve to shorten the term of any member of the board.

89a **§→ Section 2. Effective date. ←§**

89b **§→ If approved by two-thirds of all the members elected to each house, this bill takes effect**

89c **upon approval by the governor, or the day following the constitutional time limit of Utah**

89d **Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,**

89e **the date of veto override. ←§**