

LOCAL DISTRICTS AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen G. Handy

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to local districts.

Highlighted Provisions:

This bill:

- ▶ modifies the requirements for being a board member of certain local districts;
- ▶ modifies requirements related to obtaining insurance coverage for a board member of a local district;
- ▶ modifies the requirements for appointing a board member to a local district;
- ▶ modifies requirements related to a person filing to become a candidate for an elective position on a local district board;
- ▶ modifies provisions related to compensation of a board member of a local district;
- ▶ modifies provisions related to the purchasing procedures of a local district;
- ▶ modifies provisions related to the authority of a municipal services district; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



- 28 [17B-1-302](#), as last amended by Laws of Utah 2019, Chapters 40 and 108
- 29 [17B-1-303](#), as last amended by Laws of Utah 2021, Chapters 84 and 345
- 30 [17B-1-304](#), as last amended by Laws of Utah 2021, Chapter 355
- 31 [17B-1-306](#), as last amended by Laws of Utah 2021, Chapters 84, 345, 355, and 415
- 32 [17B-1-307](#), as last amended by Laws of Utah 2017, Chapter 70
- 33 [17B-1-618](#), as renumbered and amended by Laws of Utah 2007, Chapter 329
- 34 [17B-2a-822](#), as renumbered and amended by Laws of Utah 2007, Chapter 329
- 35 [17B-2a-1104](#), as last amended by Laws of Utah 2015, Chapter 352

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

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

39 **17B-1-302. Board member qualifications -- Number of board members.**

40 (1) Except as provided in Section [17B-2a-905](#), each member of a local district board of
 41 trustees shall be:

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

43 (b) except as otherwise provided in Subsection (2) or (3), a resident within:

44 (i) the boundaries of the local district; and

45 (ii) if applicable, the boundaries of the division of the local district from which the
 46 member is elected or appointed.

47 (2) (a) As used in this Subsection (2):

48 (i) "Proportional number" means the number of members of a board of trustees that
 49 bears, as close as mathematically possible, the same proportion to all members of the board that
 50 the number of seasonally occupied homes bears to all residences within the district that receive
 51 service from the district.

52 (ii) "Seasonally occupied home" means a single-family residence:

53 (A) that is located within the local district;

54 (B) that receives service from the local district; and

55 (C) whose owner does not reside permanently at the residence but may occupy the
 56 residence on a temporary or seasonal basis.

57 (b) If over 50% of the residences within a local district that receive service from the
 58 local district are seasonally occupied homes, the requirement under Subsection (1)(b) is

59 replaced, for a proportional number of members of the board of trustees, with the requirement
60 that the member be an owner of land, or an agent or officer of the owner of land, that:

61 (i) receives service from the district; and

62 (ii) is located within the local district and, if applicable, the division from which the
63 member is elected.

64 (3) (a) For a board of trustees member in a basic local district, or in any other type of
65 local district that is located solely within a county of the fifth or sixth class, that has within the
66 district's boundaries fewer than one residential dwelling unit per 10 acres of land, the
67 requirement under Subsection (1)(b) may be replaced by the requirement that the member be a
68 resident within the boundaries of the local district, or that the member be an owner of land
69 within the local district that receives service from the district[;] or an agent or officer of the
70 owner.

71 (b) A member of the board of trustees of a service area described in Subsection
72 [17B-2a-905](#)(2)(a) or (3)(a), who is an elected official of the county appointing the individual, is
73 not subject to the requirements described in Subsection (1)(b) if the elected official was elected
74 at large by the voters of the county.

75 (c) Notwithstanding Subsection (1)(b) and except as provided in Subsection (3)(d), the
76 county legislative body may appoint to the local district board one of the county legislative
77 body's own members, regardless of whether the member resides within the boundaries
78 described in Subsection (1)(b), if:

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

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

81 (B) for an appointment to fill a midterm vacancy, Subsection [20A-1-512](#)(1)(a)(ii) or

82 Subsection [20A-1-512](#)(2);

83 (ii) fewer qualified candidates timely file to be considered for appointment to the local
84 district board than are necessary to fill the board;

85 (iii) the county legislative body appoints each of the qualified candidates who timely
86 filed to be considered for appointment to the board; and

87 (iv) the county legislative body appoints a member of the body to the local district
88 board, in accordance with Subsection [17B-1-304](#)(6) or Subsection [20A-1-512](#)(1)(c), who was:

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

90 (B) elected from a division of the county that includes more than 50% of the
91 geographic area of the local district; or

92 (C) if the local district is divided into divisions under Section 17B-1-306.5, elected
93 from a division of the county that includes more than 50% of the geographic area of the
94 division of the local district in which there is a board vacancy.

95 (d) If it is necessary to reconstitute the board of trustees of a local district located solely
96 within a county of the fifth or sixth class because the term of a majority of the members of the
97 board has expired without new trustees having been elected or appointed as required by law,
98 even if sufficient qualified candidates timely file to be considered for a vacancy on the board,
99 the county legislative body may appoint to the local district board no more than one of the
100 county legislative body's own members who does not satisfy the requirements of Subsection
101 (1).

102 (4) (a) Except as otherwise provided by statute, the number of members of each board
103 of trustees of a local district that has nine or fewer members shall have an odd number of
104 members that is no fewer than three.

105 (b) If a board of trustees of a local district has more than nine members, the number of
106 members may be odd or even.

107 (5) For a newly created local district, the number of members of the initial board of
108 trustees shall be the number specified:

109 (a) for a local district whose creation was initiated by a petition under Subsection
110 17B-1-203(1)(a), (b), or (c), in the petition; or

111 (b) for a local district whose creation was initiated by a resolution under Subsection
112 17B-1-203(1)(d) or (e), in the resolution.

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

115 (b) No change in the number of members of a board of trustees under Subsection (6)(a)
116 may:

117 (i) violate Subsection (4); or

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

119 Section 2. Section 17B-1-303 is amended to read:

120 **17B-1-303. Term of board of trustees members -- Oath of office -- Bond -- Notice**

121 **of board member contact information.**

122 (1) (a) Except as provided in Subsections (1)(b), (c), (d), and (e), the term of each
123 member of a board of trustees begins at noon on the January 1 following the member's election
124 or appointment.

125 (b) The term of each member of the initial board of trustees of a newly created local
126 district begins:

127 (i) upon appointment, for an appointed member; and

128 (ii) upon the member taking the oath of office after the canvass of the election at which
129 the member is elected, for an elected member.

130 (c) The term of each water conservancy district board member whom the governor
131 appoints in accordance with Subsection 17B-2a-1005(2)(c):

132 (i) begins on the later of the following:

133 (A) the date on which the Senate consents to the appointment; or

134 (B) the expiration date of the prior term; and

135 (ii) ends on the February 1 that is approximately four years after the date described in
136 Subsection (1)(c)(i)(A) or (B).

137 (d) The term of a member of a board of trustees whom an appointing authority appoints
138 in accordance with Subsection (5)(b) begins upon the member taking the oath of office.

139 (e) If the member of the board of trustees fails to assume or qualify for office on
140 January 1 for any reason, the term begins on the date the member assumes or qualifies for
141 office.

142 (2) (a) (i) Except as provided in Subsection (8), and subject to Subsections (2)(a)(ii)
143 and (iii), the term of each member of a board of trustees is four years, except that
144 approximately half the members of the initial board of trustees, chosen by lot, shall serve a
145 two-year term so that the term of approximately half the board members expires every two
146 years.

147 (ii) If the terms of members of the initial board of trustees of a newly created local
148 district do not begin on January 1 because of application of Subsection (1)(b), the terms of
149 those members shall be adjusted as necessary, subject to Subsection (2)(a)(iii), to result in the
150 terms of their successors complying with:

151 (A) the requirement under Subsection (1)(a) for a term to begin on January 1 following

152 a member's election or appointment; and

153 (B) the requirement under Subsection (2)(a)(i) that terms be four years.

154 (iii) If the term of a member of a board of trustees does not begin on January 1 because
155 of the application of Subsection (1)(e), the term is shortened as necessary to result in the term
156 complying with the requirement under Subsection (1)(a) that the successor member's term,
157 regardless of whether the incumbent is the successor, begins at noon on January 1 following the
158 successor member's election or appointment.

159 (iv) An adjustment under Subsection (2)(a)(ii) may not add more than a year to or
160 subtract more than a year from a member's term.

161 (b) Each board of trustees member shall serve until a successor is duly elected or
162 appointed and qualified, unless the member earlier is removed from office or resigns or
163 otherwise leaves office.

164 (c) If a member of a board of trustees no longer meets the qualifications of Subsection
165 [17B-1-302](#)(1), (2), or (3), or if the member's term expires without a duly elected or appointed
166 successor:

167 (i) the member's position is considered vacant, subject to Subsection (2)(c)(ii); and

168 (ii) the member may continue to serve until a successor is duly elected or appointed
169 and qualified.

170 (3) (a) (i) Before entering upon the duties of office, each member of a board of trustees
171 shall take the oath of office specified in Utah Constitution, Article IV, Section 10.

172 (ii) A judge, county clerk, notary public, or the local district clerk may administer an
173 oath of office.

174 (b) The member of the board of trustees taking the oath of office shall file the oath of
175 office with the clerk of the local district.

176 (c) The failure of a board of trustees member to take the oath under Subsection (3)(a)
177 does not invalidate any official act of that member.

178 (4) A board of trustees member may serve any number of terms.

179 (5) (a) Except as provided in Subsection (6), each midterm vacancy in a board of
180 trustees position is filled in accordance with Section [20A-1-512](#).

181 (b) When the number of members of a board of trustees increases in accordance with
182 Subsection [17B-1-302](#)(6), the appointing authority may appoint an individual to fill a new

183 board of trustees position in accordance with Section 17B-1-304 or 20A-1-512.

184 (6) (a) For purposes of this Subsection (6):

185 (i) "Appointed official" means a person who:

186 (A) is appointed as a member of a local district board of trustees by a county or

187 municipality that is entitled to appoint a member to the board; and

188 (B) holds an elected position with the appointing county or municipality.

189 (ii) "Appointing entity" means the county or municipality that appointed the appointed
190 official to the board of trustees.

191 (b) The board of trustees shall declare a midterm vacancy for the board position held
192 by an appointed official if:

193 (i) during the appointed official's term on the board of trustees, the appointed official
194 ceases to hold the elected position with the appointing entity; and

195 (ii) the appointing entity submits a written request to the board to declare the vacancy.

196 (c) Upon the board's declaring a midterm vacancy under Subsection (6)(b), the
197 appointing entity shall appoint another person to fill the remaining unexpired term on the board
198 of trustees.

199 (7) (a) ~~Each~~ A member of a board of trustees shall ~~give a~~ obtain a fidelity bond or
200 obtain theft or crime insurance for the faithful performance of the member's duties, in the
201 amount and with the sureties or with an insurance company that the board of trustees
202 prescribes.

203 (b) The local district:

204 (i) may assist the board of trustees in obtaining a fidelity bond or obtaining theft or
205 crime insurance as a group or for members individually; and

206 (ii) shall pay the cost of each fidelity bond or insurance coverage required under
207 ~~Subsection (7)(a)~~ this Subsection (7).

208 (8) (a) The lieutenant governor may extend the term of an elected district board
209 member by one year in order to compensate for a change in the election year under Subsection
210 17B-1-306(14).

211 (b) When the number of members of a board of trustees increases in accordance with
212 Subsection 17B-1-302(6), to ensure that the term of approximately half of the board members
213 expires every two years in accordance with Subsection (2)(a):

214 (i) the board shall set shorter terms for approximately half of the new board members,
215 chosen by lot; and

216 (ii) the initial term of a new board member position may be less than two or four years.

217 (9) (a) A local district shall:

218 (i) post on the Utah Public Notice Website created in Section 63A-16-601 the name,
219 phone number, and email address of each member of the local district's board of trustees;

220 (ii) update the information described in Subsection (9)(a)(i) when:

221 (A) the membership of the board of trustees changes; or

222 (B) a member of the board of trustees' phone number or email address changes; and

223 (iii) post any update required under Subsection (9)(a)(ii) within 30 days after the date
224 on which the change requiring the update occurs.

225 (b) This Subsection (9) applies regardless of whether the county or municipal
226 legislative body also serves as the board of trustees of the local district.

227 Section 3. Section 17B-1-304 is amended to read:

228 **17B-1-304. Appointment procedures for appointed members.**

229 (1) The appointing authority may, by resolution, appoint persons to serve as members
230 of a local district board by following the procedures established by this section.

231 (2) (a) In any calendar year when appointment of a new local district board member is
232 required, the appointing authority shall prepare a notice of vacancy that contains:

233 (i) the positions that are vacant that shall be filled by appointment;

234 (ii) the qualifications required to be appointed to those positions;

235 (iii) the procedures for appointment that the governing body will follow in making
236 those appointments; and

237 (iv) the person to be contacted and any deadlines that a person shall meet who wishes
238 to be considered for appointment to those positions.

239 (b) The appointing authority shall:

240 (i) post the notice of vacancy in four public places within the local district at least one
241 month before the deadline for accepting nominees for appointment; and

242 (ii) post the notice of vacancy on the Utah Public Notice Website, created in Section
243 63A-16-601, for five days before the deadline for accepting nominees for appointment.

244 (c) The appointing authority may bill the local district for the cost of preparing,

245 printing, and publishing the notice.

246 (3) (a) [~~Not sooner than two months after~~] After the appointing authority is notified of
247 [~~the~~] a vacancy and has satisfied the requirements described in Subsection (2), the appointing
248 authority shall select a person to fill the vacancy from the applicants who meet the
249 qualifications established by law.

250 (b) The appointing authority shall:

251 (i) comply with Title 52, Chapter 4, Open and Public Meetings Act, in making the
252 appointment;

253 (ii) allow any interested persons to be heard; and

254 (iii) adopt a resolution appointing a person to the local district board.

255 (c) If no candidate for appointment to fill the vacancy receives a majority vote of the
256 appointing authority, the appointing authority shall select the appointee from the two top
257 candidates by lot.

258 (4) Persons appointed to serve as members of the local district board serve four-year
259 terms, but may be removed for cause at any time after a hearing by two-thirds vote of the
260 appointing body.

261 (5) (a) At the end of each board member's term, the position is considered vacant, and,
262 after following the appointment procedures established in this section, the appointing authority
263 may either reappoint the incumbent board member or appoint a new member.

264 (b) Notwithstanding Subsection (5)(a), a board member may continue to serve until a
265 successor is elected or appointed and qualified in accordance with Subsection [17B-1-303\(2\)\(b\)](#).

266 (6) Notwithstanding any other provision of this section, if the appointing authority
267 appoints one of its own members and that member meets all applicable statutory board member
268 qualifications, the appointing authority need not comply with Subsection (2) or (3).

269 Section 4. Section **17B-1-306** is amended to read:

270 **17B-1-306. Local district board -- Election procedures.**

271 (1) Except as provided in Subsection (12), each elected board member shall be selected
272 as provided in this section.

273 (2) (a) Each election of a local district board member shall be held:

274 (i) at the same time as the municipal general election or the regular general election, as
275 applicable; and

276 (ii) at polling places designated by the local district board in consultation with the
277 county clerk for each county in which the local district is located, which polling places shall
278 coincide with municipal general election or regular general election polling places, as
279 applicable, whenever feasible.

280 (b) The local district board, in consultation with the county clerk, may consolidate two
281 or more polling places to enable voters from more than one district to vote at one consolidated
282 polling place.

283 (c) (i) Subject to Subsections (5)(h) and (i), the number of polling places under
284 Subsection (2)(a)(ii) in an election of board members of an irrigation district shall be one
285 polling place per division of the district, designated by the district board.

286 (ii) Each polling place designated by an irrigation district board under Subsection
287 (2)(c)(i) shall coincide with a polling place designated by the county clerk under Subsection
288 (2)(a)(ii).

289 (3) The clerk of each local district with a board member position to be filled at the next
290 municipal general election or regular general election, as applicable, shall provide notice of:

291 (a) each elective position of the local district to be filled at the next municipal general
292 election or regular general election, as applicable;

293 (b) the constitutional and statutory qualifications for each position; and

294 (c) the dates and times for filing a declaration of candidacy.

295 (4) The clerk of the local district shall publish the notice described in Subsection (3):

296 (a) by posting the notice on the Utah Public Notice Website created in Section
297 [63A-16-601](#), for 10 days before the first day for filing a declaration of candidacy; and

298 (b) by posting the notice in at least five public places within the local district at least 10
299 days before the first day for filing a declaration of candidacy; and

300 (c) if the local district has a website, on the local district's website for 10 days before
301 the first day for filing a declaration of candidacy.

302 (5) (a) Except as provided in Subsection (5)(c), to become a candidate for an elective
303 local district board position, an individual shall file a declaration of candidacy in person with
304 an official designated by the local district[~~during office hours;~~] within the candidate filing
305 period for the applicable election year in which the election for the local district board is held[~~;~~]
306 and:

307 (i) during the local district's standard office hours, if the standard office hours provide
308 at least three consecutive office hours each day during the candidate filing period that is not a
309 holiday or weekend; or

310 (ii) if the standard office hours of a local district do not provide at least three
311 consecutive office hours each day, a three-hour consecutive time period each day designated by
312 the local district during the candidate filing period that is not a holiday or weekend.

313 (b) When the candidate filing deadline falls on a Saturday, Sunday, or holiday, the
314 filing time shall be extended until the close of normal office hours on the following regular
315 business day.

316 (c) Subject to Subsection (5)(f), an individual may designate an agent to file a
317 declaration of candidacy with the official designated by the local district if:

318 (i) the individual is located outside of the state during the entire filing period;

319 (ii) the designated agent appears in person before the official designated by the local
320 district; and

321 (iii) the individual communicates with the official designated by the local district using
322 an electronic device that allows the individual and official to see and hear each other.

323 (d) (i) Before the filing officer may accept any declaration of candidacy from an
324 individual, the filing officer shall:

325 (A) read to the individual the constitutional and statutory qualification requirements for
326 the office that the individual is seeking; and

327 (B) require the individual to state whether the individual meets those requirements.

328 (ii) If the individual does not meet the qualification requirements for the office, the
329 filing officer may not accept the individual's declaration of candidacy.

330 (iii) If it appears that the individual meets the requirements of candidacy, the filing
331 officer shall accept the individual's declaration of candidacy.

332 (e) The declaration of candidacy shall be in substantially the following form:

333 "I, (print name) _____, being first duly sworn, say that I reside at (Street)
334 _____, City of _____, County of _____, state of Utah, (Zip
335 Code) _____, (Telephone Number, if any) _____; that I meet the qualifications for the
336 office of board of trustees member for _____ (state the name of the local
337 district); that I am a candidate for that office to be voted upon at the next election; and that, if

338 filing via a designated agent, I will be out of the state of Utah during the entire candidate filing
339 period, and I hereby request that my name be printed upon the official ballot for that election.

340 (Signed) _____

341 Subscribed and sworn to (or affirmed) before me by _____ on this _____ day
342 of _____, _____.

343 (Signed) _____

344 (Clerk or Notary Public)".

345 (f) An agent designated under Subsection (5)(c) may not sign the form described in
346 Subsection (5)(e).

347 (g) Each individual wishing to become a valid write-in candidate for an elective local
348 district board position is governed by Section 20A-9-601.

349 (h) If at least one individual does not file a declaration of candidacy as required by this
350 section, an individual shall be appointed to fill that board position in accordance with the
351 appointment provisions of Section 20A-1-512.

352 (i) If only one candidate files a declaration of candidacy and there is no write-in
353 candidate who complies with Section 20A-9-601, the board, in accordance with Section
354 20A-1-206, may:

355 (i) consider the candidate to be elected to the position; and

356 (ii) cancel the election.

357 (6) (a) A primary election may be held if:

358 (i) the election is authorized by the local district board; and

359 (ii) the number of candidates for a particular local board position or office exceeds
360 twice the number of persons needed to fill that position or office.

361 (b) The primary election shall be conducted:

362 (i) on the same date as the municipal primary election or the regular primary election,
363 as applicable; and

364 (ii) according to the procedures for primary elections provided under Title 20A,
365 Election Code.

366 (7) (a) Except as provided in Subsection (7)(c), within one business day after the
367 deadline for filing a declaration of candidacy, the local district clerk shall certify the candidate
368 names to the clerk of each county in which the local district is located.

369 (b) (i) Except as provided in Subsection (7)(c) and in accordance with Section
370 20A-6-305, the clerk of each county in which the local district is located and the local district
371 clerk shall coordinate the placement of the name of each candidate for local district office in
372 the nonpartisan section of the ballot with the appropriate election officer.

373 (ii) If consolidation of the local district election ballot with the municipal general
374 election ballot or the regular general election ballot, as applicable, is not feasible, the local
375 district board of trustees, in consultation with the county clerk, shall provide for a separate
376 local district election ballot to be administered by poll workers at polling locations designated
377 under Subsection (2).

378 (c) (i) Subsections (7)(a) and (b) do not apply to an election of a member of the board
379 of an irrigation district established under Chapter 2a, Part 5, Irrigation District Act.

380 (ii) (A) Subject to Subsection (7)(c)(ii)(B), the board of each irrigation district shall
381 prescribe the form of the ballot for each board member election.

382 (B) Each ballot for an election of an irrigation district board member shall be in a
383 nonpartisan format.

384 (C) The name of each candidate shall be placed on the ballot in the order specified
385 under Section 20A-6-305.

386 (8) (a) Each voter at an election for a board of trustees member of a local district shall:

387 (i) be a registered voter within the district, except for an election of:

388 (A) an irrigation district board of trustees member; or

389 (B) a basic local district board of trustees member who is elected by property owners;

390 and

391 (ii) meet the requirements to vote established by the district.

392 (b) Each voter may vote for as many candidates as there are offices to be filled.

393 (c) The candidates who receive the highest number of votes are elected.

394 (9) Except as otherwise provided by this section, the election of local district board
395 members is governed by Title 20A, Election Code.

396 (10) (a) Except as provided in Subsection 17B-1-303(8), a person elected to serve on a
397 local district board shall serve a four-year term, beginning at noon on the January 1 after the
398 person's election.

399 (b) A person elected shall be sworn in as soon as practical after January 1.

400 (11) (a) Except as provided in Subsection (11)(b), each local district shall reimburse
401 the county or municipality holding an election under this section for the costs of the election
402 attributable to that local district.

403 (b) Each irrigation district shall bear the district's own costs of each election the district
404 holds under this section.

405 (12) This section does not apply to an improvement district that provides electric or gas
406 service.

407 (13) Except as provided in Subsection 20A-3a-605(1)(b), the provisions of Title 20A,
408 Chapter 3a, Part 6, Early Voting, do not apply to an election under this section.

409 (14) (a) As used in this Subsection (14), "board" means:

410 (i) a local district board; or

411 (ii) the administrative control board of a special service district that has elected
412 members on the board.

413 (b) A board may hold elections for membership on the board at a regular general
414 election instead of a municipal general election if the board submits an application to the
415 lieutenant governor that:

416 (i) requests permission to hold elections for membership on the board at a regular
417 general election instead of a municipal general election; and

418 (ii) indicates that holding elections at the time of the regular general election is
419 beneficial, based on potential cost savings, a potential increase in voter turnout, or another
420 material reason.

421 (c) Upon receipt of an application described in Subsection (14)(b), the lieutenant
422 governor may approve the application if the lieutenant governor concludes that holding the
423 elections at the regular general election is beneficial based on the criteria described in
424 Subsection (14)(b)(ii).

425 (d) If the lieutenant governor approves a board's application described in this section:

426 (i) all future elections for membership on the board shall be held at the time of the
427 regular general election; and

428 (ii) the board may not hold elections at the time of a municipal general election unless
429 the board receives permission from the lieutenant governor to hold all future elections for
430 membership on the board at a municipal general election instead of a regular general election,

431 under the same procedure, and by applying the same criteria, described in this Subsection (14).

432 (15) (a) This Subsection (15) applies to a local district if:

433 (i) the local district's board members are elected by the owners of real property, as
434 provided in Subsection 17B-1-1402(1)(b); and

435 (ii) the local district was created before January 1, 2020.

436 (b) The board of a local district described in Subsection (15)(a) may conduct an
437 election:

438 (i) to fill a board member position that expires at the end of the term for that board
439 member's position; and

440 (ii) notwithstanding Subsection 20A-1-512(1)(a)(i), to fill a vacancy in an unexpired
441 term of a board member.

442 (c) An election under Subsection (15)(b) may be conducted as determined by the local
443 district board, subject to Subsection (15)(d).

444 (d) (i) The local district board shall provide to property owners eligible to vote at the
445 local district election:

446 (A) notice of the election; and

447 (B) a form to nominate an eligible individual to be elected as a board member.

448 (ii) (A) The local district board may establish a deadline for a property owner to submit
449 a nomination form.

450 (B) A deadline under Subsection (15)(d)(ii)(A) may not be earlier than 15 days after
451 the board provides the notice and nomination form under Subsection (15)(d)(i).

452 (iii) (A) After the deadline for submitting nomination forms, the local district board
453 shall provide a ballot to all property owners eligible to vote at the local district election.

454 (B) A local district board shall allow at least five days for ballots to be returned.

455 (iv) A local district board shall certify the results of an election under this Subsection
456 (15) during an open meeting of the board.

457 Section 5. Section 17B-1-307 is amended to read:

458 **17B-1-307. Annual compensation -- Per diem compensation -- Participation in**
459 **group insurance plan -- Reimbursement of expenses.**

460 (1) (a) Except as provided in Subsection 17B-1-308(1)(e), a member of a board of
461 trustees may receive compensation for service on the board, as determined by the board of

462 trustees.

463 (b) The amount of compensation under this Subsection (1) may not exceed \$5,000 per
464 year.

465 (c) (i) As determined by the board of trustees, a member of the board of trustees may
466 participate in a group insurance plan provided to employees of the local district on the same
467 basis as employees of the local district.

468 (ii) The amount that the local district pays to provide a member with coverage under a
469 group insurance plan shall be included as part of the member's compensation for purposes of
470 Subsection (1)(b).

471 (d) The amount that a local district pays employer-matching employment taxes, if a
472 member of the board of trustees is treated as an employee for federal tax purposes, does not
473 constitute compensation under Subsection (1).

474 (2) In addition to the compensation provided under Subsection (1), the board of
475 trustees may elect to allow a member to receive per diem and travel expenses for up to 12
476 meetings or activities per year in accordance with rules adopted by the board of trustees or
477 Section 11-55-103.

478 Section 6. Section **17B-1-618** is amended to read:

479 **17B-1-618. Purchasing procedures.**

480 All purchases or encumbrances by a local district shall be made or incurred according to
481 the purchasing procedures established ~~[by]~~ for each district ~~[by resolution]~~ by the district's
482 rulemaking authority, as that term is defined in Section 63G-6a-103, and only on an order or
483 approval of the person or persons duly authorized.

484 Section 7. Section **17B-2a-822** is amended to read:

485 **17B-2a-822. Multicounty district may employ or contract for law enforcement**
486 **officers -- Law enforcement officer status, powers, and jurisdiction.**

487 (1) The board of trustees of a multicounty district may employ law enforcement
488 officers or contract with other law enforcement agencies to provide law enforcement services
489 for the district.

490 (2) A law enforcement officer employed or provided by contract under Subsection (1)
491 is a law enforcement officer under Section **53-13-103** and shall be subject to the provisions of
492 that section.

493 [~~(3)~~ Subject to the provisions of Section ~~53-13-103~~, the jurisdiction of a law
494 enforcement officer employed under this section is limited to transit facilities and transit
495 vehicles.]

496 Section 8. Section **17B-2a-1104** is amended to read:

497 **17B-2a-1104. Additional municipal services district powers.**

498 In addition to the powers conferred on a municipal services district under Section
499 ~~17B-1-103~~, a municipal services district may:

500 (1) notwithstanding Subsection ~~17B-1-202~~(3), provide no more than six municipal
501 services; [~~and~~]

502 (2) assist a municipality or a county located within a municipal services district by
503 providing staffing and administrative services, including:

504 (a) human resources staffing and services;

505 (b) finance and budgeting staffing and services; and

506 (c) information technology staffing and services; and

507 [~~(2)~~] (3) issue bonds as provided in and subject to Chapter 1, Part 11, Local District
508 Bonds, to carry out the purposes of the district.