

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

3   2015 GENERAL SESSION

4   STATE OF UTAH

5                                   **Chief Sponsor: Wayne A. Harper**

6                                   House Sponsor: Rich Cunningham

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8 **LONG TITLE**

9 **General Description:**

10           This bill modifies provisions relating to open and closed meetings of school district  
11 boards.

12 **Highlighted Provisions:**

13           This bill:

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

16 **Money Appropriated in this Bill:**

17           None

18 **Other Special Clauses:**

19           None

20 **Utah Code Sections Affected:**

21 AMENDS:

22           **53A-3-409**, as last amended by Laws of Utah 2009, Chapter 207

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

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

26           **53A-3-409. Local governmental entities and school districts -- Contracts and**  
27 **cooperation -- Disbursement of funds -- Municipal and county representative**  
28 **participation in school district board meetings -- Notice required.**

29           (1) Local governmental entities and school districts may contract and cooperate with

30 one another in matters affecting the health, welfare, education, and convenience of the  
31 inhabitants within their respective territorial limits.

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

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

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

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

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

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

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

51 (i) the school district board invites the interested county executive or interested mayor  
52 to attend and participate; and

53 (ii) for a closed meeting held for the purpose of discussing the board's disposition or  
54 acquisition of real property, the interested county executive or interested mayor does not have a  
55 conflict of interest with respect to the real estate disposition or acquisition.

56 (d) (i) A county or municipality may enter into an agreement with a school district  
57 under Title 11, Chapter 13, Interlocal Cooperation Act, to govern the attendance of an

58 interested county executive or interested mayor at a school district board meeting.

59 (ii) An agreement under Subsection (3)(d)(i) may not be inconsistent with the  
60 provisions of this Subsection (3).

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

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

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

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

68 (i) mail;

69 (ii) e-mail; or

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