

1 **STATE BOARD OF EDUCATION BOUNDARY AMENDMENTS**

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Ralph Okerlund**

5 House Sponsor: _____

6

7 **LONG TITLE**

8 **Redistricting Boundary Information:**

9 The State Board of Education district boundary information may be found at
10 <http://le.utah.gov>.

11 Electronic file security code: 1c391168399c75a9fc4f90c4e259e9fa

12 **General Description:**

13 This bill, which includes this printed text and the electronic data affiliated with it,
14 modifies the boundary between two State Board of Education districts to align with a
15 county boundary change and makes minor adjustments to State Board of Education
16 district boundaries.

17 **Highlighted Provisions:**

18 This bill:

19 ▶ adopts the school board district boundaries adjusted and approved by the lieutenant
20 governor and used in the November 2012 election, which reconcile United States
21 Census Bureau geographic data with state geographic data for:

- 22 • county boundaries;
- 23 • municipal boundaries; and
- 24 • school district boundaries;

25 ▶ incorporates one small doughnut hole with the district that completely surrounds the
26 doughnut hole;

27 ▶ removes references to census blocks that are now incorporated in the shapefile;



- 28 ▶ adjusts a section of the boundary between State Board of Education districts 3 and
- 29 14 to align with a county boundary change between Millard and Juab counties; and
- 30 ▶ establishes the board shapefile in the electronic file, which is part of this bill in
- 31 electronic form, as the legal boundaries of State Board of Education districts.

32 **Money Appropriated in this Bill:**

33 None

34 **Other Special Clauses:**

35 None

36 **Utah Code Sections Affected:**

37 AMENDS:

- 38 **20A-14-101.1**, as enacted by Laws of Utah 2011, Third Special Session, Chapter 3
- 39 **20A-14-101.5**, as last amended by Laws of Utah 2012, Chapter 2
- 40 **20A-14-102**, as last amended by Laws of Utah 2012, Chapter 2
- 41 **20A-14-102.1**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 3
- 42 **20A-14-102.2**, as last amended by Laws of Utah 2012, Chapter 2
- 43 **20A-14-102.3**, as last amended by Laws of Utah 2012, Chapter 2



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

46 Section 1. Section **20A-14-101.1** is amended to read:

47 **20A-14-101.1. Definitions.**

48 As used in this part:

- 49 (1) "Board" means the State Board of Education.
- 50 (2) "Board block assignment file" means the electronic file that assigns each of Utah's
- 51 115, 406 census blocks to a particular State Board of Education district.

52 (3) "Board shapefile" means the electronic shapefile that stores the boundary of each of

53 the 15 State Board of Education districts.

54 ~~(3)~~ (4) "Census block" means any one of the 115, 406 individual geographic areas

55 into which the Bureau of the Census of the United States Department of Commerce has divided

56 the state of Utah, to each of which the Bureau of the Census has attached a discrete population

57 tabulation from the 2010 decennial census.

58 (5) "Shapefile" means the digital vector storage format for storing geometric location

59 and associated attribute information.

60 Section 2. Section **20A-14-101.5** is amended to read:

61 **20A-14-101.5. State Board of Education -- Number of members -- State Board of**
 62 **Education district boundaries.**

63 (1) As used in this section:

64 (a) "County boundary" means the county boundary's location in the database as of
 65 January 1, 2010.

66 (b) "Database" means the State Geographic Information Database created in Section
 67 63F-1-507.

68 (c) "Local school district boundary" means the local school district boundary's location
 69 in the database as of January 1, 2010.

70 (d) "Municipal boundary" means the municipal boundary's location in the database as
 71 of January 1, 2010.

72 (2) The State Board of Education shall consist of 15 members, with one member to be
 73 elected from each State Board of Education district.

74 (3) [~~Except as modified in Subsection (5), the~~] The Legislature adopts the official
 75 census population figures and maps of the Bureau of the Census of the United States
 76 Department of Commerce developed in connection with the taking of the 2010 national
 77 decennial census as the official data for establishing State Board of Education district
 78 boundaries.

79 (4) (a) [~~Except as modified in~~] Notwithstanding Subsection [~~(5)~~] (3), the Legislature
 80 enacts the district numbers and boundaries of the State Board of Education districts designated
 81 in the Board [~~block assignment file~~] shapefile that is the electronic component of the bill that
 82 enacts this section.

83 (b) That Board [~~block assignment file~~] shapefile, and the State Board of Education
 84 district boundaries generated from that Board [~~block assignment file, together with~~
 85 ~~modifications made by Subsection (5);~~] shapefile, may be accessed via the Utah Legislature's
 86 website.

87 [~~(5)(a) The following census blocks from the 2010 Census are placed into State Board~~
 88 ~~of Education District 1 and removed from State Board of Education District 2:~~

89 ~~490572105053022, 490572105053023, 490572105053032, and 490572105053033.]~~

90 ~~[(b) The following census blocks from the 2010 Census are placed into State Board of~~
91 ~~Education District 2 and removed from State Board of Education District 1:~~
92 ~~490572104031002, 490572104031003, 490572104031008, 490572104031009,~~
93 ~~490572104031010, 490572104031014, 490572104042050, 490572104042060, and~~
94 ~~490572104042061.]~~

95 ~~[(c) The following census blocks from the 2010 Census are placed into State Board of~~
96 ~~Education District 4 and removed from State Board of Education District 2:~~
97 ~~490572105112040, 490572105112042, 490572105112043, and 490572105123002.]~~

98 ~~[(d) The following census blocks from the 2010 Census are placed into State Board of~~
99 ~~Education District 4 and removed from State Board of Education District 5: 490111251021028~~
100 ~~and 490111251021047.]~~

101 ~~[(e) The following census blocks from the 2010 Census are placed into State Board of~~
102 ~~Education District 6 and removed from State Board of Education District 8: 490351135331025~~
103 ~~and 490351135331026.]~~

104 ~~[(f) The following census block from the 2010 Census is placed into State Board of~~
105 ~~Education District 7 and removed from State Board of Education District 12:~~
106 ~~490439643061158.]~~

107 ~~[(g) The following census blocks from the 2010 Census are placed into State Board of~~
108 ~~Education District 8 and removed from State Board of Education District 6:~~
109 ~~490351135331027, 490351135331032, 490351135331033, 490351135331034, and~~
110 ~~490351135331035.]~~

111 ~~[(h) The following census blocks from the 2010 Census are placed into State Board of~~
112 ~~Education District 9 and removed from State Board of Education District 13:~~
113 ~~490490022071013, 490490022073011, 490490022073012, 490490022073016,~~
114 ~~490490022073017, and 490490101131460.]~~

115 ~~[(i) The following census blocks from the 2010 Census are placed into State Board of~~
116 ~~Education District 11 and removed from State Board of Education District 6:~~
117 ~~490351142001009, 490351142001010, 490351142001011, 490351142001012,~~
118 ~~490351142001020, and 490351142001021.]~~

119 ~~[(j) The following census blocks from the 2010 Census are placed into State Board of~~
120 ~~Education District 12 and removed from State Board of Education District 9:~~

121 490490022011002, 490490022011003, and 490490101122121.]

122 ~~[(k) The boundary between State Board of Education District 7 and State Board of~~
123 ~~Education District 12 is changed to follow the local school district boundary from the~~
124 ~~intersection of the local school district boundary with the shared boundary between Morgan~~
125 ~~County and Summit County, then along the same local school district boundary generally south~~
126 ~~and east to the intersection of the State Board of Education district boundary with the boundary~~
127 ~~of Summit County Service Area 3, then projecting the same service area boundary east to~~
128 ~~intersect with Interstate 80.]~~

129 ~~[(l) The boundary between State Board of Education District 8 and State Board of~~
130 ~~Education District 10 is changed to follow 900 East Street south from the intersection of I-215~~
131 ~~with 900 East Street, south to the intersection of 900 East Street with the Midvale municipal~~
132 ~~boundary, then along the Midvale municipal boundary generally west to the intersection of~~
133 ~~established State Board of Educations Districts 8, 10, and 11.]~~

134 ~~[(m) The boundary between State Board of Education District 8 and State Board of~~
135 ~~Education District 11 is changed to follow the Midvale municipal boundary from the~~
136 ~~intersection of established State Board of Education Districts 8, 10, and 11, generally west to~~
137 ~~the intersection of Midvale municipal boundary with Interstate 15.]~~

138 ~~[(n) The boundary of State Board of Education District 9 is changed to follow the Lehi~~
139 ~~City municipal boundary so that all of Lehi City is within State Board of Education District 9.]~~

140 ~~[(o) The boundary between State Board of Education District 9 and State Board of~~
141 ~~Education District 12 is changed to follow the Pleasant Grove municipal boundary from the~~
142 ~~southernmost intersection of the Pleasant Grove municipal boundary with State Street generally~~
143 ~~east to the intersection of the Pleasant Grove municipal boundary with the Murdock Canal.]~~

144 ~~[(p) The boundary of State Board of Education District 11 is changed to follow State~~
145 ~~Highway 73 from the easternmost point where State Highway 73 intersects with the established~~
146 ~~boundary between State Board of Education Districts 9 and 11, east to the intersection of State~~
147 ~~Highway 73 with State Highway 68, then north to the southernmost intersection of State~~
148 ~~Highway 68 with the Lehi municipal boundary, then following the Lehi municipal boundary~~
149 ~~north to the next point where the Lehi municipal boundary intersects with State Highway 68,~~
150 ~~then following the Lehi municipal boundary generally east, north, and west to the next~~
151 ~~intersection of the Lehi municipal boundary with State Highway 68.]~~

152 ~~[(q) The following census block from the 2010 Census is placed into State Board of~~
153 ~~Education District 12 and removed from State Board of Education District 13:~~
154 ~~490490022011099;]~~

155 Section 3. Section **20A-14-102** is amended to read:

156 **20A-14-102. State Board of Education districts.**

157 (1) (a) The Legislature shall file a copy of the Board [~~block assignment file~~] shapefile
158 enacted by the Legislature with the lieutenant governor's office.

159 (b) [~~Except as provided in Subsection 20A-14-101.5(5), the~~] The legal boundaries of
160 State Board of Education districts are contained in the Board [~~block assignment file~~] shapefile
161 on file with the lieutenant governor's office.

162 (2) (a) The lieutenant governor shall:

163 (i) generate maps of each State Board of Education district from the Board [~~block~~
164 ~~assignment file and modifications to boundaries made in Subsection 20A-14-101.5(5)]~~
165 shapefile; and

166 (ii) ensure that those maps are available for viewing on the lieutenant governor's
167 website.

168 (b) If there is any inconsistency between the maps[;] and the Board [~~block assignment~~
169 ~~file, and the modifications made to boundaries in Subsection 20A-14-101.5(5), the Board block~~
170 ~~assignment file as adjusted by the modifications to boundaries made in Subsection~~
171 ~~20A-14-101.5(5), are controlling] shapefile, the Board shapefile is controlling.~~

172 Section 4. Section **20A-14-102.1** is amended to read:

173 **20A-14-102.1. Omissions from maps -- How resolved.**

174 (1) If any area of the state is omitted from a State Board of Education district in the
175 Board [~~block assignment file~~] shapefile enacted by the Legislature, the county clerk of the
176 affected county, upon discovery of the omission, shall attach the area to the appropriate State
177 Board of Education district according to the requirements of Subsections (2) and (3).

178 (2) If the omitted area is surrounded by a single State Board of Education district, the
179 county clerk shall attach the area to that district.

180 (3) If the omitted area is contiguous to two or more State Board of Education districts,
181 the county clerk shall attach the area to the district that has the least population, as determined
182 by the [~~official census population figures and maps described in Subsection 20A-14-101.5(2)]~~

183 Utah Population Estimates Committee.

184 (4) The county clerk shall certify in writing and file with the lieutenant governor any
185 attachment made under this section.

186 Section 5. Section **20A-14-102.2** is amended to read:

187 **20A-14-102.2. Uncertain boundaries -- How resolved.**

188 (1) As used in this section:

189 (a) "Affected party" means:

190 (i) a state school board member whose State Board of Education district boundary is
191 uncertain because the feature used to establish the district boundary in the Board [~~block~~
192 ~~assignment file or in any modifications to the boundary made in Subsection 20A-14-101.5(5)]~~
193 shapefile has been removed, modified, or is unable to be identified or who is uncertain about
194 whether or not the member or another person resides in a particular State Board of Education
195 district;

196 (ii) a candidate for state school board whose State Board of Education district
197 boundary is uncertain because the feature used to establish the district boundary in the Board
198 [~~block assignment file or in any modification to the boundary made in Subsection~~
199 ~~20A-14-101.5(5)] shapefile has been removed, modified, or is unable to be identified or who is
200 uncertain about whether or not the candidate or another person resides in a particular State
201 Board of Education district; or~~

202 (iii) a person who is uncertain about which State Board of Education district contains
203 the person's residence because the feature used to establish the district boundary in the Board
204 [~~block assignment file or in any modification to the boundary made in Subsection~~
205 ~~20A-14-101.5(5)] shapefile has been removed, modified, or is unable to be identified.~~

206 (b) "Feature" means a geographic or other tangible or intangible mark such as a road or
207 political subdivision boundary that is used to establish a State Board of Education district
208 boundary.

209 (2) (a) An affected party may file a written request petitioning the lieutenant governor
210 to determine:

211 (i) the precise location of the State Board of Education district boundary;

212 (ii) the number of the State Board of Education district in which a person resides; or

213 (iii) both Subsections (2)(a)(i) and (ii).

214 (b) In order to make the determination required by Subsection (2)(a), the lieutenant
215 governor shall review:

- 216 (i) the Board [~~block assignment file;~~] shapefile; and
- 217 [~~(ii) the modifications to the boundary made in Subsection 20A-14-101.5(5); and]~~
- 218 [~~(iii)~~] (ii) other relevant data such as aerial photographs, aerial maps, or other data
- 219 about the area.

220 (c) Within five days of receipt of the request, the lieutenant governor shall:

- 221 (i) review the Board block [~~assignment file]~~ shapefile;
- 222 [~~(ii) review the modifications to the boundary made in Subsection 20A-14-101.5(5);]~~
- 223 [~~(iii)~~] (ii) review any relevant data; and
- 224 [~~(iv)~~] (iii) make a determination.

225 (d) If the lieutenant governor determines the precise location of the State Board of
226 Education district boundary, the lieutenant governor shall:

- 227 (i) prepare a certification identifying the appropriate State Board of Education district
- 228 boundary and attaching a map, if necessary; and
- 229 (ii) send a copy of the certification to:
- 230 (A) the affected party;
- 231 (B) the county clerk of the affected county; and
- 232 (C) the Automated Geographic Reference Center created under Section 63F-1-506.

233 (e) If the lieutenant governor determines the number of the State Board of Education
234 district in which a particular person resides, the lieutenant governor shall send a letter
235 identifying that district by number to:

- 236 (i) the person;
- 237 (ii) the affected party who filed the petition, if different than the person whose State
- 238 Board of Education district number was identified; and
- 239 (iii) the county clerk of the affected county.

240 Section 6. Section **20A-14-102.3** is amended to read:

241 **20A-14-102.3. County clerk, Automated Geographic Reference Center, and**
242 **lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

243 (1) As used in this section, "redistricting boundary data" means the [State] Board [of
244 Education ~~block assignment file and any modifications made to the State Board of Education~~

245 ~~district boundaries by Subsection 20A-14-101.5(5)]~~ shapefile.

246 (2) Each county clerk shall obtain a copy of the redistricting boundary data for the
247 clerk's county from the lieutenant governor's office.

248 (3) (a) A county clerk may create one or more county maps that identify the boundaries
249 of State Board of Education districts as generated from the redistricting boundary data.

250 (b) Before publishing or distributing any map or data created by the county clerk that
251 identifies the boundaries of State Board of Education districts within the county, the clerk shall
252 submit the county map and data to the lieutenant governor and to the Automated Geographic
253 Reference Center for review.

254 (c) Within 30 days after receipt of a county map and data from a county clerk, the
255 Automated Geographic Reference Center shall:

256 (i) review the county map and data to evaluate if the county map and data accurately
257 reflect the boundaries of State Board of Education districts established by the Legislature in the
258 redistricting boundary data;

259 (ii) determine whether the county map and data are correct or incorrect; and

260 (iii) communicate those findings to the lieutenant governor.

261 (d) The lieutenant governor shall either notify the county clerk that the county map and
262 data are correct or inform the county clerk that the county map and data are incorrect.

263 (e) If the county clerk receives notice from the lieutenant governor that the county map
264 and data submitted are incorrect, the county clerk shall:

265 (i) make the corrections necessary to conform the county map and data to the
266 redistricting boundary data; and

267 (ii) resubmit the corrected county map and data to the lieutenant governor for a new
268 review under this Subsection (3).

269 (4) (a) Subject to the requirements of this Subsection (4), each county clerk shall
270 establish voting precincts and polling places within each State Board of Education district
271 according to the procedures and requirements of Section 20A-5-303.

272 (b) Within five working days after approval of voting precincts and polling places by
273 the county legislative body as required by Section 20A-5-303, each county clerk shall submit a
274 voting precinct map identifying the boundaries of each voting precinct within the county to the
275 lieutenant governor and to the Automated Geographic Reference Center for review.

276 (c) Within 30 days after receipt of a voting precinct map from a county clerk, the
277 Automated Geographic Reference Center shall:

278 (i) review the voting precinct map to evaluate if the voting precinct map accurately
279 reflects the boundaries of State Board of Education districts established by the Legislature in
280 the redistricting boundary data;

281 (ii) determine whether the voting precinct map is correct or incorrect; and

282 (iii) communicate those findings to the lieutenant governor.

283 (d) The lieutenant governor shall either notify the county clerk that the voting precinct
284 map is correct or notify the county clerk that the voting precinct map is incorrect.

285 (e) If the county clerk receives notice from the lieutenant governor that the voting
286 precinct map is incorrect, the county clerk shall:

287 (i) make the corrections necessary to conform the voting precinct map to the
288 redistricting boundary data; and

289 (ii) resubmit the corrected voting precinct map to the lieutenant governor and to the
290 Automated Geographic Reference Center for a new review under this Subsection (4).

Legislative Review Note
as of 2-22-13 6:59 PM

Office of Legislative Research and General Counsel