



2018 Proposed

Legislative Changes

17B-2a-905. Service area board of trustees.

- (1) (a) Except as provided in Subsection (2) or (3):
 - (i) the initial board of trustees of a service area located entirely within the unincorporated area of a single county may, as stated in the petition or resolution that initiated the process of creating the service area:
 - (A) consist of the county legislative body;
 - (B) be appointed, as provided in Section 17B-1-304; or
 - (C) be elected, as provided in Section 17B-1-306;
 - (ii) if the board of trustees of a service area consists of the county legislative body, the board may adopt a resolution providing for future board members to be appointed, as provided in Section 17B-1-304, or elected, as provided in Section 17B-1-306; and
 - (iii) members of the board of trustees of a service area shall be elected, as provided in Section 17B-1-306, if:
 - (A) the service area is not entirely within the unincorporated area of a single county;
 - (B) a petition is filed with the board of trustees requesting that board members be elected, and the petition is signed by registered voters within the service area equal in number to at least 10% of the number of registered voters within the service area who voted at the last gubernatorial election; or
 - (C) an election is held to authorize the service area's issuance of bonds.
- (b) If members of the board of trustees of a service area are required to be elected under Subsection (1)(a)(iii)(C) because of a bond election:
 - (i) board members shall be elected in conjunction with the bond election;
 - (ii) the board of trustees shall:
 - (A) establish a process to enable potential candidates to file a declaration of candidacy sufficiently in advance of the election; and
 - (B) provide a ballot for the election of board members separate from the bond ballot; and
 - (iii) except as provided in this Subsection (1)(b), the election shall be held as provided in Section 17B-1-306.
- (2) (a) This Subsection (2) applies to a service area created on or after May 5, 2003, if:
 - (i) the service area was created to provide:
 - (A) fire protection, paramedic, and emergency services; or
 - (B) law enforcement service;
 - (ii) in the creation of the service area, an election was not required under Subsection 17B-1-214(3)(d); and
 - (iii) the service area is not a service area described in Subsection (3).
- (b) (i) Each county whose unincorporated area is included within a service area described in Subsection (2)(a), whether in conjunction with the creation of the service area or by

- later annexation, shall appoint up to three members to the board of trustees.
- (ii) Each municipality whose area is included within a service area described in Subsection (2)(a), whether in conjunction with the creation of the service area or by later service area annexation or municipal incorporation or annexation, shall appoint one member to the board of trustees, unless the area of the municipality is withdrawn from the service area.
 - (iii) Each member appointed by a county or municipality under Subsection (2)(b)(i) or (ii) shall be an elected official of the appointing county or municipality, respectively.
- (c) Notwithstanding Subsection 17B-1-302(4), the number of members of a board of trustees of a service area described in Subsection (2)(a) shall be the number resulting from application of Subsection (2)(b).
- (3) (a) This Subsection (3) applies to a service area created on or after May 14, 2013, if:
- (i) the service area was created to provide fire protection, paramedic, and emergency services;
 - (ii) in the creation of the service area, an election was not required under Subsection 17B-1-214(3)(d); and
 - (iii) each municipality whose area is included within the service area or county whose unincorporated area, whether in whole or in part, is included within a service area is a party to an agreement:
 - (A) entered into in accordance with [Title 11, Chapter 13, Interlocal Cooperation Act](#) with all the other municipalities or counties whose area is included in the service area;
 - (B) to provide the services described in Subsection (3)(a)(i); and
 - (C) at the time a resolution proposing the creation of the service area is adopted by each applicable municipal or county legislative body in accordance with Subsection 17B-1-203(1)(d).
- (b) (i) Each county whose unincorporated area, whether in whole or in part, is included within a service area described in Subsection (3)(a), whether in conjunction with the creation of the service area or by later annexation, shall appoint one member to the board of trustees.
- (ii) Each municipality whose area is included within a service area described in Subsection (3)(a), whether in conjunction with the creation of the service area or by later annexation, shall appoint one member to the board of trustees.
 - (iii) Each member appointed by a county or municipality under Subsection (3)(b)(i) or (ii) shall be an elected official of the appointing county or municipality, respectively.
 - (iv) A vote by a member of the board of trustees may be weighted or proportional.
- (c) Notwithstanding Subsection 17B-1-302(4), the number of members of a board of trustees of a service area described in Subsection (3)(a) shall be the number resulting from the application of Subsection (3)(b).

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

- (1) Each member of a local district board of trustees shall be:
 - (a) a registered voter at the location of the member's residence; and
 - (b) except as otherwise provided in Subsection (2) or (3), a resident within:
 - (i) the boundaries of the local district; and
 - (ii) if applicable, the boundaries of the division of the local district from which the member is elected or appointed.

- (2) (a) As used in this Subsection (2):
 - (i) "Proportional number" means the number of members of a board of trustees that bears, as close as mathematically possible, the same proportion to all members of the board that the number of seasonally occupied homes bears to all residences within the district that receive service from the district.
 - (ii) "Seasonally occupied home" means a single-family residence:
 - (A) that is located within the local district;
 - (B) that receives service from the local district; and
 - (C) whose owner does not reside permanently at the residence but may occupy the residence on a temporary or seasonal basis.

(b) If over 50% of the residences within a local district that receive service from the local district are seasonally occupied homes, the requirement under Subsection (1)(b) is replaced, for a proportional number of members of the board of trustees, with the requirement that the member be an owner of land, or an agent or officer of the owner of land, that:

 - (i) receives service from the district; and
 - (ii) is located within the local district and, if applicable, the division from which the member is elected.

- (3) (a) For a board of trustees member in a basic local district that has within the district's boundaries fewer than one residential dwelling unit per 10 acres of land, the requirement under Subsection (1)(b) is replaced with the requirement that the member be an owner of land within the local district that receives service from the district, or an agent or officer of the owner.
- (b) A member of the board of trustees of a service area described in Subsection 17B-2a-905(2)(a) or (3)(a), who is an elected official of the county appointing the individual, is not subject to the requirements described in Subsection (1)(b) if the elected official was elected at large by the voters of the county.
- (c) Notwithstanding Subsection (1)(b), the county legislative body may appoint to the local district board one of the county legislative body's own members, regardless of whether the member resides within the boundaries described in Subsection (1)(b), if:
 - (i) the county legislative body satisfies the procedures to fill a vacancy described in:
 - (A) for the appointment of a new board member, Subsections 17B-1-304(2) and (3);
 - or
 - (B) for an appointment to fill a midterm vacancy, Subsections 20A-1-512(1)(a) and

- (b);
- (ii) no qualified candidate timely files to be considered for appointment to the local district board; and
- (iii) the county legislative body appoints a member of the body to the local district board, in accordance with Subsection 17B-1-304(6) or Subsection 20A-1-512(1)(c), who was:
 - (A) elected at large by the voters of the county;
 - (B) elected from a division of the county that includes more than 50% of the geographic area of the local district; or
 - (C) if the local district is divided into divisions under Section 17B-1-306.5, elected from a division of the county that includes more than 50% of the geographic area of the division of the local district in which there is a board vacancy.
- (4) (a) Except as otherwise provided by statute, the number of members of each board of trustees of a local district shall be an odd number that is no less than three.
 - (b) Notwithstanding Subsection (4)(a), a board of trustees of a local district having more than nine members shall not be required to have an odd number of members.
- (5) For a newly created local district, the number of members of the initial board of trustees shall be the number specified:
 - (a) for a local district whose creation was initiated by a petition under Subsection 17B-1-203(1)(a), (b), or (c), in the petition; or
 - (b) for a local district whose creation was initiated by a resolution under Subsection 17B-1-203(1)(d) or (e), in the resolution.
- (6) (a) For an existing local district, the number of members of the board of trustees may be changed by a two-thirds vote of the board of trustees.
 - (b) No change in the number of members of a board of trustees under Subsection (6)(a) may:
 - (i) violate Subsection (4); or
 - (ii) serve to shorten the term of any member of the board.

17B-1-303. Term of board of trustees members -- Oath of office -- Bond -- Notice of board member contact information.

- (1) (a) Except as provided in Subsections (1)(b), (c) and (d), the term of each member of a board of trustees shall begin at noon on the January 1 following the member's election or appointment.
 - (b) The term of each member of the initial board of trustees of a newly created local district shall begin:
 - (i) upon appointment, for an appointed member; and
 - (ii) upon the member taking the oath of office after the canvass of the election at which the member is elected, for an elected member.
 - (c) The term of each water conservancy district board member appointed by the governor as provided in Subsection 17B-2a-1005(2)(c) shall:
 - (i) begin on the later of the following:
 - (A) the date on which the Senate consents to the appointment; or
 - (B) the expiration date of the prior term; and
 - (ii) end on the February 1 that is approximately four years after the date described in Subsection (1)(c)(i)(A) or (B).
 - (d) The term of each member of a board of trustees who is appointed as provided in Subsection (5)(b) shall begin:
 - (i) upon appointment; and
 - (ii) upon the member taking the oath of office
- (2) (a) (i) Except as provided in Subsection (8), and subject to Subsection (2)(a)(ii), the term of each member of a board of trustees shall be four years, except that approximately half the members of the initial board of trustees, chosen by lot, shall serve a two-year term so that the term of approximately half the board members expires every two years.
 - (ii) (A) If the terms of members of the initial board of trustees of a newly created local district do not begin on January 1 because of application of Subsection (1)(b), the terms of those members shall be adjusted as necessary, subject to Subsection (2)(a)(ii)(B), to result in the terms of their successors complying with:
 - (I) the requirement under Subsection (1)(a) for a term to begin on January 1 following a member's election or appointment; and
 - (II) the requirement under Subsection (2)(a)(i) that terms be four years.
 - (B) An adjustment under Subsection (2)(a)(ii)(A) may not add more than a year to or subtract more than a year from a member's term.
- (b) Each board of trustees member shall serve until a successor is duly elected or appointed and qualified, unless the member earlier is removed from office or resigns or otherwise leaves office.
 - (c) If a member of a board of trustees no longer meets the qualifications of Subsection 17B-

- 1-302(1), (2), or (3), or if the member's term expires without a duly elected or appointed successor:
- (i) the member's position is considered vacant, subject to Subsection (2)(c)(ii); and
 - (ii) the member may continue to serve until a successor is duly elected or appointed and qualified.
- (3) (a) (i) Before entering upon the duties of office, each member of a board of trustees shall take the oath of office specified in Utah Constitution, Article IV, Section 10.
- (ii) An oath of office may be administered by a judge, county clerk, notary public, or the local district clerk.
- (b) Each oath of office shall be filed with the clerk of the local district.
- (c) The failure of a board of trustees member to take the oath required by Subsection (3)(a) does not invalidate any official act of that member.
- (4) A board of trustees member is not limited in the number of terms the member may serve.
- (5) (a) Except as provided in Subsection (6), each midterm vacancy in a board of trustees position shall be filled as provided in Section 20A-1-512
- (b) When the number of members of a board of trustees is increased as provided in Subsection 17B-1-302(6), the appointing authority may appoint a person to fill a new board of trustees position by following either Section 17B-1-304 or Section 20A-1-512.
- (6) (a) For purposes of this Subsection (6):
- (i) "Appointed official" means a person who:
 - (A) is appointed as a member of a local district board of trustees by a county or municipality entitled to appoint a member to the board; and
 - (B) holds an elected position with the appointing county or municipality.
 - (ii) "Appointing entity" means the county or municipality that appointed the appointed official to the board of trustees.
- (b) The board of trustees shall declare a midterm vacancy for the board position held by an appointed official if:
- (i) during the appointed official's term on the board of trustees, the appointed official ceases to hold the elected position with the appointing entity; and
 - (ii) the appointing entity submits a written request to the board to declare the vacancy.
- (c) Upon the board's declaring a midterm vacancy under Subsection (6)(b), the appointing entity shall appoint another person to fill the remaining unexpired term on the board of trustees.
- (7) (a) Each member of a board of trustees shall give a bond for the faithful performance of the member's duties, in the amount and with the sureties prescribed by the board of trustees.
- (b) The local district shall pay the cost of each bond required under Subsection (7)(a).
- (8) (a) The lieutenant governor may extend the term of an elected district board member by one year in order to compensate for a change in the election year under Subsection 17B-1-306(13).
- (b) When the number of members of a board of trustees is increased as provided in

Subsection 17B-1-302(6), the term of each new member shall be set so that the term of approximately half of the board members expire every two years as provided in Subsection (2)(a), which may cause the initial term of a new board member position to be less than four years or less than two years.

- (9) (a) A local district shall:
- (i) post on the Utah Public Notice Website created in Section [63F-1-701](#) the name, phone number, and email address of each member of the local district's board of trustees;
 - (ii) update the information described in Subsection [\(9\)\(a\)\(i\)](#) when:
 - (A) the membership of the board of trustees changes; or
 - (B) a member of the board of trustees' phone number or email address changes; and
 - (iii) post any update required under Subsection [\(9\)\(a\)\(ii\)](#) within 30 days after the day on which the change requiring the update occurs.
- (b) This Subsection [\(9\)](#) applies regardless of whether the county or municipal legislative body also serves as the board of trustees of the local district.

17B-2a-1106. Municipal services district board of trustees -- Governance.

- (1) Except as provided in Subsection (2), and notwithstanding any other provision of law regarding the membership of a local district board of trustees, the initial board of trustees of a municipal services district shall consist of the county legislative body.
- (2) (a) Notwithstanding any provision of law regarding the membership of a local district board of trustees or the governance of a local district, and, except as provided in Subsection (3), if a municipal services district is created in a county of the first class with the county executive-council form of government, the initial governance of the municipal services district is as follows:
 - (i) subject to Subsection (2)(b), the county council is the municipal services district board of trustees; and
 - (ii) subject to Subsection (2)(c), the county executive is the executive of the municipal services district.
- (b) Notwithstanding any other provision of law, the board of trustees of a municipal services district described in Subsection (2)(a) shall:
 - (i) act as the legislative body of the district; and
 - (ii) exercise legislative branch powers and responsibilities established for county legislative bodies in:
 - (A) Title 17, Counties; and
 - (B) an optional plan, as defined in Section 17-52-101, adopted for a county executive-council form of county government as described in Section 17-52-504.
- (c) Notwithstanding any other provision of law, in a municipal services district described in Subsection (2)(a), the executive of the district shall:
 - (i) act as the executive of the district;
 - (ii) nominate a general manager of the municipal services district, subject to the advice and consent of the board of trustees; and
 - (iii) exercise executive branch powers and responsibilities established for a county executive in:
 - (A) Title 17, Counties; and
 - (B) an optional plan, as defined in Section 17-52-101, adopted for a county executive-council form of county government as described in Section 17-52-504.
- (3) (a) If, after the initial creation of a municipal services district, an area within the district is incorporated as a municipality as defined in Section 10-1-104 and the area is not withdrawn from the district in accordance with Section 17B-1-502 or 17B-1-505, or an area within the municipality is annexed into the municipal services district in accordance with Section 17B-2a-1103, the district's board of trustees shall be as follows:
 - (i) subject to Subsection (3)(b), a member of that municipality's governing body;
 - (ii) one member of the county council of the county in which the municipal services district is located; and

- (iii) the total number of board members shall not be required to be an odd number.
 - (b) A member described in Subsection (3)(a)(i) shall be:
 - (i) for a municipality other than a metro township, designated by the municipal legislative body; and
 - (ii) for a metro township, the chair of the metro township.
 - (c) A member of the board of trustees has the powers and duties described in Subsection (2)(b).
 - (d) The county executive is the executive and has the powers and duties as described in Subsection (2)(c).
- (4)
- The county council member described in Subsection (3)(a)(ii) may not be the county mayor who, as the executive of the district, is not a member of the board of trustees.
- (5) For a board of trustees described in Subsection (3), each board member's vote is weighted using the proportion of the municipal services district population that resides:
 - (a) for each member described in Subsection (3)(a)(i), within that member's municipality; and
 - (b) for the member described in Subsection (3)(a)(ii), within the unincorporated county.
 - (6) The board may adopt a resolution providing for future board members to be appointed, as provided in Section 17B-1-304, or elected, as provided in Section 17B-1-306.
 - (7) (a) Notwithstanding Subsections 17B-1-309(1) or 17B-1-310(1), the board of trustees may adopt a resolution to determine the internal governance of the board.
 - (b) A resolution adopted under Subsection (7)(a) may not alter or impair the board of trustees' duties, powers, or responsibilities described in Subsection (2)(b) or the executive's duties, powers, or responsibilities described in Subsection (2)(c).
 - (8) The municipal services district and the county may enter into an agreement for the provision of legal services to the municipal services district.

17B-2a-1109. Counties and municipalities authorized to provide funds to a municipal services district.

A county, or, subject to Section [17B-2a-1108](#), a municipality involved in the establishment and operation of a municipal services district may fund the operation and maintenance of the district through the sharing of sales tax and other revenue for district purposes.

17B-2a-704. Mosquito abatement district board of trustees.

- (1) (a) Notwithstanding Subsection 17B-1-302(4):
 - (i) the board of trustees of a mosquito abatement district shall consist of no less than five members appointed in accordance with this section; and
 - (ii) subject to Subsection (1)(b), the legislative body of each municipality that is entirely or partly included within a mosquito abatement district shall appoint one member to the board of trustees.
- (b) If 75% or more of the area of a mosquito abatement district is within the boundaries of a single municipality:
 - (i) the board of trustees shall consist of five members; and
 - (ii) the legislative body of that municipality shall appoint all five members of the board.
- (2) Subject to Subsection (1)(b), the legislative body of each county in which a mosquito abatement district is located shall appoint at least one member but no more than three members to the district's board of trustees as follows:
 - (a) one member may be appointed if:
 - (i) some or all of the county's unincorporated area is included within the boundaries of the mosquito abatement district and Subsection (2)(b) does not apply; or
 - (ii) (A) the number of municipalities that are entirely or partly included within the district is an even number less than nine; and
(B) Subsection (1)(b) does not apply; or
 - (b) subject to Subsection (3), up to and including three members may be appointed if:
 - (i) more than 25% of the population of the mosquito abatement district resides outside the boundaries of all municipalities that may appoint members to the board of trustees; and
 - (ii) at least four members of the board of trustees are appointed by a municipality.
- (3) A member appointed in accordance with Subsection (2)(b) may not reside within a municipality that may appoint a member to the board of trustees.
- (4) If the number of board members appointed by application of Subsections (1) and (2)(a) is an even number less than nine, the legislative body of the county in which the district is located shall appoint an additional member.
- (5) Notwithstanding Subsection (2) and subject to Subsection (1)(b):
 - (a) if the mosquito abatement district is located entirely within one county and, in accordance with this section, only one municipality may appoint a member of the board of trustees, the county legislative body shall appoint at least four members to the district's board of trustees; and
 - (b) if the mosquito abatement district is located entirely within one county and no municipality may appoint a member of the board of trustees, all of the members of the board shall be appointed by the county legislative body.
- (6) Each board of trustees member shall be appointed as provided in Section 17B-1-304.
- (7) Each vacancy on a mosquito abatement district board of trustees shall be filled by the

applicable appointing authority as provided in Section [17B-1-304](#), or if the vacancy is a midterm vacancy, as provided in Section [20A-1-512](#).

17B-1-113. Liability insurance.

(1) Each local district with an annual operating budget of \$50,000 or more shall obtain liability insurance as considered appropriate by the local district board.

(2) Each local district with an annual operating budget of less than \$50,000 is encouraged to obtain liability insurance as considered appropriate by the local district board.

20A-1-512. Midterm vacancies on local district boards.

- (1) (a) Whenever a vacancy occurs on any local district board for any reason, a replacement to serve out the unexpired term shall be appointed as provided in this section by:
 - (i) the local district board, if the person vacating the position was elected; or
 - (ii) the appointing authority, as defined in Section 17B-1-102, if the person vacating the position was appointed.
 - (b) Except as provided in Subsection (1)(c), before acting to fill the vacancy, the local district board or appointing authority shall:
 - (i) give public notice of the vacancy at least two weeks before the local district board or appointing authority meets to fill the vacancy; and
 - (ii) identify, in the notice:
 - (A) the date, time, and place of the meeting where the vacancy will be filled; and
 - (B) the person to whom a person interested in being appointed to fill the vacancy may submit his name for consideration and any deadline for submitting it.
 - (c) An appointing authority is not subject to Subsection (1)(b) if the appointing authority appoints one of its own members and that member meets all applicable statutory board member qualifications.
 - (d) A public notice under this section will be adequate if the notice is:
 - (i) published in a daily or weekly newspaper of general circulation within the local district at least one time;
 - (ii) posted in four public places within the local district; and
 - (iii) posted on the Utah Public Notice Website administered by the Division of Archives and Records Service under Section 63F-1-701.
- (2) If the local district board fails to appoint a person to complete an elected board member's term within 90 days, the legislative body of the county or municipality that created the local district shall fill the vacancy following the procedure set forth for a local district in Subsection (1)(b).

17B-2a-703. Additional mosquito abatement district powers.

In addition to the powers conferred on a mosquito abatement district under Section [17B-1-103](#), a mosquito abatement district may:

- (1) take all necessary and proper steps for the extermination of mosquitos, flies, crickets, grasshoppers, and other insects:
 - (a) within the district; or
 - (b) outside the district, if lands inside the district are benefitted;
- (2) abate as nuisances all stagnant pools of water and other breeding places for mosquitos, flies, crickets, grasshoppers, or other insects anywhere inside or outside the state from which mosquitos migrate into the district;
- (3) enter upon territory referred to in Subsections (1) and (2) in order to inspect and examine the territory and to remove from the territory, without notice, stagnant water or other breeding places for mosquitos, flies, crickets, grasshoppers, or other insects;
- (4) issue bonds as provided in and subject to [Chapter 1, Part 11, Local District Bonds](#), to carry out the purposes of the district;
- (5) make a contract to indemnify or compensate an owner of land or other property for injury or damage necessarily caused by the exercise of district powers or arising out of the use, taking, or damage of property for a district purpose; and
- (6) in addition to the accumulated fund balance allowed by Section 17B-1-612, establish a reserve fund, not to exceed the greater of 25% of the district's annual operating budget or \$50,000, to pay for extraordinary abatement measures, including a vector-borne public health emergency.

**17B-1-612. Accumulated fund balances -- Limitations -- Excess balances -- Unanticipated excess of revenues -
- Reserves for capital projects.**

- (1) (a) A local district may accumulate retained earnings or fund balances, as appropriate, in any fund.
 - (b) For the general fund only, an accumulated fund balance may be used only:
 - (i) to provide working capital to finance expenditures from the beginning of the budget year until general property taxes or other applicable revenues are collected, subject to Subsection (1)(c);
 - (ii) to provide a resource to meet emergency expenditures under Section 17B-1-623; and
 - (iii) to cover a pending year-end excess of expenditures over revenues from an unavoidable shortfall in revenues, subject to Subsection (1)(d).
 - (c) Subsection (1)(b)(i) may not be construed to authorize a local district to appropriate a fund balance for budgeting purposes, except as provided in Subsection (4).
 - (d) Subsection (1)(b)(iii) may not be construed to authorize a local district to appropriate a fund balance to avoid an operating deficit during a budget year except:
 - (i) as provided under Subsection (4); or
 - (ii) for emergency purposes under Section 17B-1-623.
- (2) The accumulation of a fund balance in the general fund may not exceed the greater of:
 - (a) The adopted operation and maintenance budget for the coming fiscal year plus 100% of the current year's property tax; or
 - (b) (i) 25% of the total general fund revenues for a district with an annual general fund budget greater than \$100,000; or
 - (ii) 50% of the total general fund revenues for a district with an annual general fund budget equal to or less than \$100,000.
 - (3) If the fund balance at the close of any fiscal year exceeds the amount permitted under Subsection (2), the district shall appropriate the excess in the manner provided in Section 17B-1-613.
 - (4) Any fund balance in excess of 5% of the total revenues of the general fund may be utilized for budget purposes.
 - (5) (a) Within a capital projects fund the board of trustees may, in any budget year, appropriate from estimated revenue or fund balance to a reserve for capital projects for the purpose of financing future specific capital projects, including new construction, capital repairs, replacement, and maintenance, under a formal long-range capital plan adopted by the board of trustees.
 - (b) A local district may allow a reserve amount under Subsection (5)(a) to accumulate from year to year until the accumulated total is sufficient to permit economical expenditure for the specified purposes.
 - (c) A local district may disburse from a reserve account under Subsection (5)(a) only by a budget appropriation adopted in the manner provided by this part.
 - (d) Expenditures from the above appropriation budget accounts shall conform to all

requirements of this part relating to execution and control of budgets.

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

- (1)
 - (a) Except as provided in Subsection [17B-1-308\(1\)\(e\)](#), a member of a board of trustees may receive compensation for service on the board, as determined by the board of trustees.
 - (b) The amount of compensation under this Subsection (1) may not exceed \$5,000 per year.
 - (c)
 - (i) As determined by the board of trustees, a member of the board of trustees may participate in a group insurance plan provided to employees of the local district on the same basis as employees of the local district.
 - (ii) The amount that the local district pays to provide a member with coverage under a group insurance plan shall be included as part of the member's compensation for purposes of Subsection (1)(b).
 - (d) The amount that a local district pays employer-matching employment taxes, if a member of the board of trustees is treated as an employee for federal tax purposes, does not constitute compensation under Subsection (1).
- (2)
 - (a) In addition to the compensation provided under Subsection (1), the board of trustees may elect to allow a member to receive per diem and travel expenses for up to 12 meetings or activities per year in accordance with Section [11-55-103](#).
 - (b) An exception to a limitation established pursuant to Section 11-55-103 may be allowed for unusual circumstances as approved by the board of trustees prior to the meeting or activity.

17B-1-312. Training for board members.

- (1) (a) Each member of a board of trustees of a local district shall, within one year after taking office, complete the training described in Subsection (2).
- (b) For the purposes of Subsection (1)(a), a member of a board of trustees of a local district takes office each time the member is elected or appointed to a new term, including an appointment to fill a midterm vacancy in accordance with Subsection 17B-1-303(5) or (6).
- (2) In conjunction with the Utah Association of Special Districts, the state auditor shall:
 - (a) develop a training curriculum for the members of local district boards; and
 - (b) with the assistance of other state offices and departments the state auditor considers appropriate and at times and locations established by the state auditor, carry out the training of members of local district boards.
- (3) (a) A local district board of trustees may compensate each member of the board for each day of training described in Subsection (2) that the member completes, in accordance with Section 11-55-103.
- (b) An exception to a limitation established pursuant to Section 11-55-103 may be allowed for unusual circumstances as approved by the board of trustees prior to the training.
- (c) The compensation authorized under Subsection (3)(a) is in addition to all other amounts of compensation and expense reimbursement authorized under this chapter.
- (d) A board of trustees may not pay compensation under Subsection (3)(a) to any board member more than once per year.
- (4) The state auditor shall issue a certificate of completion to each board member that completes the training described in Subsection (2).

10-8-62. Cemeteries -- Purchase and operation.

The municipal legislative body may:

- (1) purchase, hold, and pay for lands within or without the corporate limits for the burial of the dead, and all necessary grounds for hospitals;
- (2) have and exercise police jurisdiction over those lands, and over any cemetery used by the inhabitants of the city;
- (3) survey, plat, map, fence, ornament, and otherwise improve, manage, and operate public burial and cemetery grounds;
- (4) convey cemetery lots owned by the city, and pass ordinances for the protection and governing of these grounds consistent with [Title 8, Chapter 5, Rights and Title to Cemetery Lots](#);
- (5) contract for the care and improvement of cemeteries and cemetery lots, and for any compensation for the care and improvement;
- (6) receive deposits for the care of lots and invest the deposits by following the procedures and requirements of [Title 51, Chapter 7, State Money Management Act](#); and
- (7) pay the cost of the care from any proceeds from the investment.

4830-4071-9699, v. 1