

17-16-11 Fidelity bonds and theft or crime insurance.

- (1) As used in this section, "county officials" means:
 - (a) the members of the county legislative body;
 - (b) the county executive;
 - (c) the county clerk;
 - (d) the county auditor;
 - (e) the county sheriff;
 - (f) the county attorney;
 - (g) in a county that is within a prosecution district, the district attorney;
 - (h) the county recorder;
 - (i) the county assessor;
 - (j) the county surveyor;
 - (k) each justice court judge and constable within the county;
 - (l) the county treasurer; and
 - (m) each deputy or assistant of those listed in Subsections (1)(a) through (l) for whom the county legislative body determines a general fidelity bond or theft or crime insurance should be acquired.
- (2)
 - (a) The legislative body of each county shall prescribe the amount of each general fidelity bond or of theft or crime insurance to be acquired for county officials, except the county treasurer, before the county officials, except the county treasurer, may discharge the duties of their respective offices.
 - (b) The State Money Management Council created in Section 51-7-16 shall prescribe the amount of a general fidelity bond or theft or crime insurance to be acquired for the county treasurer before the county treasurer may discharge the duties of that office.
 - (c) A county legislative body may acquire a fidelity bond or theft or crime insurance on all county officials as a group rather than individually.
- (3)
 - (a) The county legislative body shall approve the premium for each fidelity bond before the bond may be filed.
 - (b) The cost of each fidelity bond and theft or crime insurance policy shall be paid from county funds.
- (4) Each fidelity bond shall be filed and maintained in the office of the county clerk.
- (5)
 - (a) The district attorney of each multicounty prosecution district shall:
 - (i) execute a fidelity bond or acquire theft or crime insurance in the amount specified in the interlocal agreement that created the prosecution district; and
 - (ii) file each fidelity bond with the county clerk as specified in the interlocal agreement.
 - (b) The cost of each fidelity bond or theft or crime insurance policy under Subsection (5)(a) shall be paid as specified in the interlocal agreement that created the prosecution district.

Amended by Chapter 268, 2007 General Session