

## UTAH PROSECUTION COUNCIL AMENDMENTS

2001 GENERAL SESSION

STATE OF UTAH

**Sponsor: Ron Allen**

**This act amends the chapter creating the Utah Prosecution Council by adding the chair of the Utah Prosecutorial Assistants Association as a voting member of the council. This act also clarifies procedure for reimbursement of unusual prosecution expenses, amends procedure for city prosecutors to be appointed to the council, and clarifies the terms of newly appointed members.**

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**67-5a-1**, as last amended by Chapter 354, Laws of Utah 1997

**67-5a-2**, as last amended by Chapter 243, Laws of Utah 1996

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

Section 1. Section **67-5a-1** is amended to read:

**67-5a-1. Utah Prosecution Council -- Duties -- Membership.**

(1) There is created within the Office of the Attorney General the Utah Prosecution Council, referred to as the council in this chapter.

(2) The council shall:

(a) provide training and continuing legal education for state and local prosecutors;

(b) provide assistance to local prosecutors; and

(c) as funds are available and as are budgeted for this purpose, provide reimbursement for unusual expenses related to prosecution for violations of state laws.

(3) The council shall be composed of [~~nine~~] ten members, selected as follows:

(a) the attorney general or [~~his~~] a designated representative;

(b) the commissioner of public safety or [~~his~~] a designated representative;

(c) four [~~elected and acting~~] currently serving county or district attorneys designated by the county or district attorneys' section of the Utah Association of Counties; a county or district attorney's term expires when a successor is designated by the county or district attorneys' section

or when he is no longer ~~[an elected and acting]~~ serving as a county attorney or district attorney, whichever occurs first;

(d) two city prosecutors designated by the Utah ~~[League of Cities and Towns]~~ Municipal Attorneys Association; a city prosecutor's term expires when a successor is designated by the association or when he is no longer employed as a city prosecutor, whichever occurs first; ~~[and]~~

(e) the ~~[chairman]~~ chair of the ~~[Advisory]~~ Board of Directors of the Statewide Association of ~~[Prosecutors]~~ Public Attorneys of Utah~~[-]; and~~

(f) the chair of the governing board of the Utah Prosecutorial Assistants Association.

Section 2. Section **67-5a-2** is amended to read:

**67-5a-2. Terms -- Filling vacancies -- Chair.**

(1) The term of each council member is four years, unless the term is earlier terminated by:

(a) the authority that designated the member; or

(b) the member ceasing to hold the office that qualified him for membership.

(2) A member whose term has expired may continue, for not more than four months, to serve as a council member until a successor is selected and qualified.

~~[(2)]~~ (3) Council members may serve for more than one successive term.

~~[(3)]~~ (4) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for ~~[the unexpired]~~ a full term that commences on the date of appointment.

~~[(4)]~~ (5) The council shall elect by a majority vote one of its members as chair at its first meeting and then annually.