

1                                   **SPECIAL FUNCTION OFFICERS FOR**  
2                                   **DIVISION OF OCCUPATIONAL AND**  
3                                   **PROFESSIONAL LICENSING**

4                                   2005 GENERAL SESSION

5                                   STATE OF UTAH

6                                   **Sponsor: Neal B. Hendrickson**

---

7  
8   **LONG TITLE**

9   **General Description:**

10           This bill modifies provisions of the Division of Occupational and Professional  
11   Licensing Act related to the employment of staff.

12   **Highlighted Provisions:**

13           This bill:

14           ▶ allows the director of the division to employ and designate investigators as special  
15   function officers.

16   **Monies Appropriated in this Bill:**

17           None

18   **Other Special Clauses:**

19           None

20   **Utah Code Sections Affected:**

21   AMENDS:

22           **58-1-105**, as renumbered and amended by Chapter 297, Laws of Utah 1993

---

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

25           Section 1. Section **58-1-105** is amended to read:

26           **58-1-105. Employment of staff.**

27           (1) The director, with the approval of the executive director, may employ necessary



28 staff, including investigators, specialists, and professionals, to assist ~~him~~ the director in  
29 performing the duties, functions, and responsibilities of the division.

30 (2) An investigator employed under Subsection (1) shall be designated a special  
31 function officer, as defined in Section 53-13-105, but:

32 (a) is not eligible for retirement benefits under the Public Safety Noncontributory  
33 Retirement System; and

34 (b) may not be authorized by the director to carry a firearm as a special function officer  
35 employed by the division.

---

---

**Legislative Review Note**  
**as of 1-31-05 2:09 PM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

---

---

**Fiscal Note**  
**Bill Number HB0368**

Special Function Officers for Division of Occupational and Professional  
Licensing

04-Feb-05  
10:58 AM

---

---

**State Impact**

No fiscal impact.

---

**Individual and Business Impact**

No fiscal impact.

---

Office of the Legislative Fiscal Analyst