

Senator Carlene M. Walker proposes the following substitute bill:

COUNTY OFFICER REVISIONS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carlene M. Walker

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions relating to county officers.

Highlighted Provisions:

This bill:

- ▶ requires each person elected to consolidated county offices to possess all the qualifications of each of the consolidated offices;
- ▶ prohibits the consolidation of offices in a county of the first class if any of the offices to be consolidated requires a professional license or certificate of a person filing as a candidate for that office; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-16-3, as last amended by Chapter 202, Laws of Utah 2005

17-16-4, Utah Code Annotated 1953



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

Section 1. Section **17-16-3** is amended to read:

17-16-3. Consolidation of offices.

(1) The county legislative body may, unless prohibited by Subsection (2), pass an ordinance that:

- (a) consolidates county offices and establishes the duties of those consolidated offices;
- (b) separates any previously consolidated offices and reconsolidates them; or
- (c) separates any previously consolidated offices without reconsolidating them.

(2) The county legislative body may not:

- (a) consolidate the offices of county commissioner, county council member, or county treasurer with the office of county auditor;
- (b) consolidate the office of county executive with the office of county auditor, unless a referendum approving that consolidation passes; ~~or~~

- (c) consolidate the offices of county commissioner, county council member, county executive, county assessor, or county auditor with the office of county treasurer~~[-]; or~~

- (d) in a county of the first class, consolidate offices after May 1, 2006 if a person filing as a candidate for any of the offices to be consolidated is required to have a professional license or certificate in order to file as a candidate for that office.

(3) The county legislative body shall ensure that any ordinance consolidating or separating county offices:

- (a) is enacted before the February 1 of the year in which county officers are elected;

and

- (b) takes effect on the first Monday in January after the year in which county officers are elected.

(4) Each county legislative body shall:

- (a) enact an ordinance by February 1, 2006, separating any county offices that are prohibited from consolidation by this section; and

- (b) publish, by February 15, 2006, a notice once in a newspaper of general circulation in the county identifying the county offices that will be filled in the November 2006 election.

Section 2. Section **17-16-4** is amended to read:

57 **17-16-4. Election of officer to consolidated office.**

58 (1) As used in this section, "consolidated office" means the office that results from the
59 consolidation of county offices under Section 17-16-3.

60 (2) ~~[When offices are united and consolidated but]~~ Only one person ~~[shall]~~ may be
61 elected to fill ~~[the offices so united and consolidated, and he must]~~ a consolidated office.

62 (3) Each person elected to a consolidated office after May 1, 2006 shall:

63 (a) possess all qualifications, including any required license or certification, of each of
64 the county offices whose consolidation resulted in the consolidated office; and

65 (b) take the oath [and] of, give the bond required for, and discharge all the duties
66 pertaining to[-] each of the county offices whose consolidation resulted in the consolidated
67 office.