

**Senator Gregory S. Bell** proposes the following substitute bill:

**REVISION TO LOCAL GOVERNMENT**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Gregory S. Bell**

**House Sponsor: Kevin S. Garn**

6	Cosponsors:	John W. Hickman	Darin G. Peterson
7	Curtis S. Bramble	Lyle W. Hillyard	Howard A. Stephenson
8	D. Chris Buttars	Scott K. Jenkins	Dennis E. Stowell
9	Allen M. Christensen	Sheldon L. Killpack	John L. Valentine
10	Margaret Dayton	Peter C. Knudson	Kevin T. VanTassell
11	Dan R. Eastman	Mark B. Madsen	Michael G. Waddoups
12	Jon J. Greiner	Wayne L. Niederhauser	Carlene M. Walker



**LONG TITLE**

**General Description:**

This bill enacts provisions relating to county and municipal authority.

**Highlighted Provisions:**

This bill:

- ▶ enacts provisions authorizing counties and municipalities to enact an ordinance making benefits generally available to employees, their dependents, and an unmarried employee's financially dependent or interdependent adult designee;
- ▶ authorizes counties and municipalities to create a registry for adult relationships of financial dependence or interdependence;
- ▶ prohibits a county or municipal registry from giving legal status or effect to a domestic partnership, civil union, or other domestic cohabitation relationship other than marriage;
- ▶ provides other restrictions on an ordinance to make benefits generally available and

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28 on a registry created by a county or municipality; and

29 ▶ declares void any ordinance or other action that is inconsistent with this bill.

30 **Monies Appropriated in this Bill:**

31 None

32 **Other Special Clauses:**

33 None

34 **Utah Code Sections Affected:**

35 ENACTS:

36 **10-8-1.5**, Utah Code Annotated 1953

37 **17-50-324**, Utah Code Annotated 1953



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

40 Section 1. Section **10-8-1.5** is enacted to read:

41 **10-8-1.5. Authority to make benefits generally available to employees, their**  
42 **dependents, and an adult designee -- Registry authorized -- Limitations.**

43 (1) A municipality may, by ordinance enacted by the municipal legislative body, make  
44 benefits generally available to all municipal employees, their dependents, and an unmarried  
45 employee's financially dependent or interdependent adult designee.

46 (2) (a) Subject to Subsection (2)(b), a municipality may, by ordinance enacted by the  
47 municipal legislative body, create a registry for adult relationships of financial dependence or  
48 interdependence.

49 (b) A municipality may not create or maintain a registry or other means that defines,  
50 identifies, or recognizes and gives legal status or effect to a domestic partnership, civil union,  
51 or domestic cohabitation relationship other than marriage.

52 (3) The municipality's recognition of an adult designee, the creation and maintenance  
53 of a registry under Subsection (2)(a), and any certificate issued to or other designation of a  
54 person on the municipality's registry are not and may not be treated the same as or substantially  
55 equivalent to marriage.

56 (4) Neither an ordinance under Subsection (1) or (2)(a) nor a registry created under  
57 Subsection (2)(a) making an employee benefit available to an adult designee may create,  
58 modify, or affect a spousal, marital, or parental status, duty, or right.

59 (5) An ordinance, executive order, rule, or regulation adopted or other action taken  
60 before, on, or after May 5, 2008 that is inconsistent with this section is void.

61 Section 2. Section **17-50-324** is enacted to read:

62 **17-50-324. Authority to make benefits generally available to employees, their**  
63 **dependents, and an adult designee -- Registry authorized -- Limitations.**

64 (1) A county may, by ordinance enacted by the county legislative body, make benefits  
65 generally available to all county employees, their dependents, and an unmarried employee's  
66 financially dependent or interdependent adult designee.

67 (2) (a) Subject to Subsection (2)(b), a county may, by ordinance enacted by the county  
68 legislative body, create a registry for adult relationships of financial dependence or  
69 interdependence.

70 (b) A county may not create or maintain a registry or other means that defines,  
71 identifies, or recognizes and gives legal status or effect to a domestic partnership, civil union,  
72 or domestic cohabitation relationship other than marriage.

73 (3) The county's recognition of an adult designee, the creation and maintenance of a  
74 registry under Subsection (2)(a), and any certificate issued to or other designation of a person  
75 on the county's registry are not and may not be treated the same as or substantially equivalent to  
76 marriage.

77 (4) Neither an ordinance under Subsection (1) or (2)(a) nor a registry created under  
78 Subsection (2)(a) making an employee benefit available to an adult designee may create,  
79 modify, or affect a spousal, marital, or parental status, duty, or right.

80 (5) An ordinance, executive order, rule, or regulation adopted or other action taken  
81 before, on, or after May 5, 2008, that is inconsistent with this section is void.

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**S.B. 299 1st Sub. (Green) - Revision to Local Government**

**Fiscal Note**

2008 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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