



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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February 7, 2013

Mr. President:

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 145**, COUNTY ATTORNEY CHAPTER RECODIFICATION, by Senator T. Weiler, with the following amendments:

1. *Page 11, Lines 327 through 330:*

327 (3) A public prosecutor may not after the filing of an indictment or information
and without the consent of the court ;
328 (a) compromise a prosecution; or
329 (b) enter a plea of nolle prosequi { after the filing of an indictment or
information
330 without the consent of the court } .

2. *Page 13, Lines 373 through 378:*

373 (2) The attorney:
374 (a) does not represent a county commission, county agency, county board, county
375 council, county officer, or county employee;
376 (b) counsels with the county regarding civil matters; and
377 (c) receives direction from the county through the county elected officers in
accordance
378 with the officers' duties and powers in accordance with law.

(3) Notwithstanding Subsection (2)(a), the attorney may represent an employee named as a party in litigation:

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SB0145

Action Class



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Action Code



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(a) with the approval of the county executive; and
(b) if permitted by law and the Rules of Professional Conduct.

Respectfully,

Mark B. Madsen
Committee Chair

Voting: 6-0-1

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