

SB0313S01 compared with SB0313

~~{Omitted text}~~ shows text that was in SB0313 but was omitted in SB0313S01

inserted text shows text that was not in SB0313 but was inserted into SB0313S01

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1

Constable Amendments
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Todd Weiler
House Sponsor:



2

3 **LONG TITLE**

4 **General Description:**

5 This bill allows a constable to establish a payment schedule with an individual instead of
6 seizing the individual's property.

7 **Highlighted Provisions:**

8 This bill:

- 9 ▶ allows a constable to establish a payment schedule with an individual instead of seizing the
individual's property;and
- 11 ▶ ~~{adds a constable's payment schedule activities to the list of activities for which the
constable must contact local law enforcement when operating outside the constable's county; and}~~
- 14 ▶ makes technical changes.

12 **Money Appropriated in this Bill:**

13 None

14 **Other Special Clauses:**

15 None

17 AMENDS:

SB0313

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18 **17-25-1** , as last amended by Laws of Utah 2024, Chapter 158 , as last amended by Laws of Utah
2024, Chapter 158

22 ~~{17-25a-3, as last amended by Laws of Utah 2019, Chapter 218, as last amended by Laws of
Utah 2019, Chapter 218}~~

19

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

21 Section 1. Section **17-25-1** is amended to read:

22 **17-25-1. General powers and duties.**

27 (1) A constable shall:

28 (a) attend the justice courts within the constable's city or county when required by contract or court
order; and

30 (b) execute, serve, and return all process directed or delivered to the constable by a judge of the justice
court serving the city or county, or by any competent authority within the limits of this section.

33 (2) A constable may:

34 (a) serve any process throughout the state; ~~and~~

35 (b) in lieu of seizing the property of an individual, establish a payment schedule with the individual; and

37 ~~[(b)]~~ (c) carry out all other functions associated with a constable.

38 (3) A constable shall serve exclusively as an agent for:

39 (a) the state, city, or county that has a contract with the constable; or

40 (b) the court authorizing or directing the constable.

41 (4) Except as otherwise provided in this part, a constable may not serve as an agent, or be deemed to be
serving as an agent, for a person that is not described in Subsection (3).

43 ~~{Section 2. Section 17-25a-3 is amended to read: }~~

44 **17-25a-3. County and city constables -- Terms -- Authority -- Deputies.**

45 (1)

(a) Constables appointed by a county or city are appointed for terms of six years and may serve more
than one term if reappointed by the appointing body.

47 (b) Notwithstanding the law in place at the time a constable was appointed, the term of a constable
appointed on or after July 1, 2018, expires six years after the day on which the term began.

50 (2)

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(a) Constables serving process outside the county in which they are appointed shall contact the sheriff's office or police department of the jurisdiction prior to serving executions~~[-or]~~, seizing any property, or establishing a payment schedule with an individual in lieu of seizing property.

54 (b) A constable or deputy constable shall notify the agency of jurisdiction by contacting the sheriff's office or police department of jurisdiction before serving a warrant of arrest.

57 (3) The appointed constable may, upon approval of the appointing county or city, employ and deputize persons who are certified as special function peace officers to function as deputy constables.

60 (4) If the county or city appointing body withdraws the authority of a constable, the authority of all deputy constables is also withdrawn.

62 (5) If the authority of a constable or deputy constable is withdrawn, notification of the Peace Officer Standards and Training Division of the Department of Public Safety shall be made pursuant to Section 53-6-209.

39 Section 2. **Effective date.**

This bill takes effect on May 7, 2025.

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