

1 **Local Government Official Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Matt MacPherson

Senate Sponsor:

2 **LONG TITLE**

3 **General Description:**

4 This bill creates requirements for holding certain municipal or county offices.

5 **Highlighted Provisions:**

6 This bill:

7 ▶ defines terms;

8 ▶ provides that a state executive branch official or a county official may not serve on a
9 municipal legislative body, subject to a time-limited exception;

10 ▶ provides that a state executive branch official or a municipal official may not serve on a
11 county legislative body, subject to a time-limited exception;

12 ▶ includes a sunset provision; and

13 ▶ makes technical and conforming changes.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **63I-2-210**, as last amended by Laws of Utah 2025, First Special Session, Chapter 15

21 **63I-2-217**, as last amended by Laws of Utah 2025, First Special Session, Chapter 7

22 ENACTS:

23 **10-3-303**, Utah Code Annotated 1953

24 **17-66-207**, Utah Code Annotated 1953

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

26 Section 1. Section **10-3-303** is enacted to read:

27 **10-3-303 . Certain officials prohibited from serving in certain municipal offices.**

28 (1) As used in this section:

- 31 (a) "County official" means:
 32 (i) the elected county executive with the duties described in Title 17, Chapter 65, Part
 33 3, Powers and Duties; and
 34 (ii) a county manager, whether hired or appointed.
 35 (b) "State executive branch official" means:
 36 (i) a member of the governor's cabinet;
 37 (ii) any executive director, director, or division director working in the state
 38 executive branch; or
 39 (iii) any paid advisor to the governor.

40 (2) Except as provided in Subsection (3), a state executive branch official or a county
 41 official may not serve on a municipal legislative body, whether the municipal legislative
 42 member is elected or appointed.

43 (3) An individual who holds office in violation of Subsection (2) may continue to serve in
 44 the municipal legislative office:

45 (a) if the individual was in violation of Subsection (2) on May 6, 2026, until the earlier
 46 of:

47 (i) the day on which the individual's replacement, whether selected by election or
 48 appointment, is sworn into municipal legislative office; or

49 (ii) January 31, 2027; and

50 (b) if Subsection (3)(a) does not apply, until the earlier of:

51 (i) the day on which the individual's replacement, whether selected by election or
 52 appointment, is sworn into municipal legislative office; or

53 (ii) one year from the day that the violation first occurs.

54 Section 2. Section **17-66-207** is enacted to read:

55 **17-66-207 . Certain officials prohibited from serving in certain county offices.**

56 (1) As used in this section:

57 (a) "Municipal official" means the mayor or manager for a municipality, whether elected
 58 or appointed.

59 (b) "State executive branch official" means the same as that term is defined in Section
 60 10-3-303.

61 (2) Except as provided in Subsection (3), a state executive branch official or a municipal
 62 official may not serve on a county legislative body, whether the county legislative
 63 member is elected or appointed.

64 (3) An individual who holds office in violation of Subsection (2) may continue to serve in

65 the county legislative office:

66 (a) if the individual was in violation of Subsection (2) on May 6, 2026, until the earlier
67 of:

68 (i) the day on which the individual's replacement, whether selected by election or
69 appointment, is sworn into county legislative office; or

70 (ii) January 31, 2027; and

71 (b) if Subsection (3)(a) does not apply, until the earlier of:

72 (i) the day on which the individual's replacement, whether selected by election or
73 appointment, is sworn into county legislative office; or

74 (ii) one year from the day that the violation first occurs.

75 Section 3. Section **63I-2-210** is amended to read:

76 **63I-2-210 . Repeal dates: Title 10.**

77 (1) Subsection 10-2a-205(2)(b)(iii), regarding a feasibility study for the proposed
78 incorporation of a community council area, is repealed July 1, 2028.

79 (2) Section 10-2a-205.5, Additional feasibility consultant considerations for proposed
80 incorporation of community council area -- Additional feasibility study requirements, is
81 repealed July 1, 2028.

82 (3) Subsection 10-3-303(3)(a), regarding eligibility to hold municipal legislative office
83 while serving as a state executive branch official or county official, is repealed July 1,
84 2027.

85 [~~3~~] (4) Subsection 10-20-904(4)(c), regarding an inspection fee on a qualified water
86 conservancy district, is repealed July 1, 2026.

87 Section 4. Section **63I-2-217** is amended to read:

88 **63I-2-217 . Repeal dates: Titles 17 through 17D.**

89 (1) Subsection 17-79-804(4)(c), regarding an inspection fee on a qualified water
90 conservancy district, is repealed July 1, 2026.

91 (2) Subsection 17-62-102(3), regarding the process for changing a form of county
92 government, is repealed January 1, 2028.

93 (3) Subsections 17-62-203(10) through (12), regarding the process to create a districting
94 commission and implementing a district map, are repealed July 1, 2029.

95 (4) Subsection 17-66-207(3)(a), regarding eligibility to hold county legislative office while
96 serving as a state executive branch official or municipal official, is repealed July 1, 2027.

97 Section 5. **Effective Date.**

98 This bill takes effect on May 6, 2026.