

**County Forms of Government Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ronald M. Winterton**

House Sponsor:

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**LONG TITLE****Committee Note:**

The Political Subdivisions Interim Committee recommended this bill.

Legislative Vote: 9 voting for 0 voting against 8 absent

**General Description:**

This bill repeals restrictions on including a part-time or full-time county executive or legislative body in a new or amended optional county government plan.

**Highlighted Provisions:**

This bill:

- repeals a restriction on a county with a population of 225,000 or more from including in an optional county government plan a full-time county commission in an expanded county commission form of government; and

- repeals a requirement that a majority of a county's registered voters must vote to amend an optional plan that changes the status of a county executive or legislative body from full-time to part-time, or from part-time to full-time.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**17-62-404**, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 13

**17-62-504**, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 13

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

Section 1. Section **17-62-404** is amended to read:

**17-62-404 . Plan may propose changing forms of county government -- Partisan elections.**

(1)(a) The optional plan proponent described in Subsection 17-62-403(1) shall ensure that each optional plan proposes changing the form of county government to:

(i) for a county of the first, second, third, or fourth class:

(A) the county commission form under Section 17-62-201;

(B) the expanded county commission form under Section 17-62-202;

(C) the county executive and council form under Section 17-62-203; or

(D) the council-manager form under Section 17-62-204; and

(ii) for a county of the fifth or sixth class:

(A) the county commission form under Section 17-62-201; or

(B) the expanded county commission form under Section 17-62-202.

(b) The optional plan proponent described in Subsection 16-62-403(1) may not recommend an optional plan that:

(i) proposes changing the form of government to a form not authorized in Subsection (1)(a);

(ii) provides for the nonpartisan election of elected officers;

(iii) imposes a limit on the number of terms or years that an elected officer may serve;

or

(iv) provides for elected officers to be subject to a recall election[; ~~or~~]

~~[(v) provides, in a county with a population of 225,000 or more, for a full-time~~

~~county commission in an expanded county commission form of government under~~

~~Section 17-62-202.] .~~

(2) A county that provides for the election of the county's elected officers through a partisan election may not change to a process that provides for the election of the county's elected officers through a nonpartisan election.

Section 2. Section **17-62-504** is amended to read:

**17-62-504 . Amendment of optional plan.**

(1) Subject to Subsection (2), an optional plan, after going into effect following an election held under Section 17-62-501, may be amended by an affirmative vote of two-thirds of the county legislative body.

(2) Notwithstanding Subsection (1), an amendment to an optional plan that is in effect may not take effect until a majority of registered voters voting in a general or special election at which the amendment is proposed approve the amendment, if the amendment changes:

- 65 (a) the size or makeup of the legislative body, except for adjustments necessary due to  
66 decennial reapportionment; or  
67 (b) the distribution of powers between the executive and legislative branches of county  
68 government[; ~~or~~]  
69 [~~(c) the status of the county executive or legislative body from full-time to part-time or~~  
70 ~~vice-versa~~].

71 Section 3. **Effective Date.**

72 This bill takes effect on May 6, 2026.