

Constable Amendments
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Todd Weiler
House Sponsor:

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- allows a constable to establish a payment schedule with an individual instead of seizing the individual's property; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-78-603, as renumbered and amended by Laws of Utah 2025, First Special Session,
Chapter 14

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

Section 1. Section **17-78-603** is amended to read:

17-78-603 . Term -- Authority -- Deputies.

- (1)(a) Constables appointed by a county are appointed for terms of six years and may serve more than one term if reappointed by the appointing body.
- (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.
- (2)(a) Appointed constables serving process outside the county in which they are appointed shall contact the sheriff's office or police department of the jurisdiction

before serving executions or seizing any property.

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

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

(4) If the county legislative body withdraws the authority of an appointed constable, the authority of all deputy constables employed or deputized by the appointed constable is also withdrawn.

(5) If the authority of a constable or deputy constable is withdrawn under Subsection (4), the county shall notify the Peace Officer Standards and Training Division of the Department of Public Safety in accordance with Section 53-6-209.

(6) A constable, contracted or appointed, shall:

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

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

(7) A constable, contracted or appointed, may:

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

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

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

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

(a) the government entity that has a contract with the constable;

(b) the county that appointed the constable; or

(c) the court authorizing or directing the constable.

(9) Except as otherwise provided in this part, a constable may not serve as an agent, or be considered to be serving as an agent, for a person that is not described in Subsection (8).

Section 2. **Effective Date.**

This bill takes effect on May 6, 2026.