

Todd Weiler proposes the following substitute bill:

Constable Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor: Andrew Stoddard

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- allows a constable to establish a payment schedule with an individual instead of seizing the individual's property, under certain circumstances; 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

- 30 appointed shall contact the sheriff's office or police department of the jurisdiction
31 before serving executions or seizing any property.
- 32 (b) An appointed constable or a deputy of an appointed constable shall notify the agency
33 of jurisdiction by contacting the sheriff's office or police department of jurisdiction
34 before serving a warrant of arrest.
- 35 (3) The appointed constable may, upon approval of the appointing county, employ and
36 deputize persons who are certified as special function peace officers to function as
37 deputy constables.
- 38 (4) If the county legislative body withdraws the authority of an appointed constable, the
39 authority of all deputy constables employed or deputized by the appointed constable is
40 also withdrawn.
- 41 (5) If the authority of a constable or deputy constable is withdrawn under Subsection (4),
42 the county shall notify the Peace Officer Standards and Training Division of the
43 Department of Public Safety in accordance with Section 53-6-209.
- 44 (6) A constable, contracted or appointed, shall:
- 45 (a) attend the justice courts within the constable's county when required by contract or
46 court order; and
- 47 (b) execute, serve, and return all process directed or delivered to the constable by a judge
48 of the justice court serving the county, or by any competent authority within the
49 limits of this section.
- 50 (7) A constable, contracted or appointed, may:
- 51 (a) serve any process throughout the state;[-and]
- 52 (b) with the approval of a party directing the constable to seize an individual's property,
53 establish a payment schedule with the individual in lieu of seizing the individual's
54 property; and
- 55 [~~(b)~~] (c) carry out all other functions associated with a constable.
- 56 (8) A constable shall serve exclusively as an agent for:
- 57 (a) the government entity that has a contract with the constable;
- 58 (b) the county that appointed the constable; or
- 59 (c) the court authorizing or directing the constable.
- 60 (9) Except as otherwise provided in this part, a constable may not serve as an agent, or be
61 considered to be serving as an agent, for a person that is not described in Subsection (8).

62 **Section 2. Effective Date.**

63 This bill takes effect on May 6, 2026.