

Municipal Prosecutor Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Pitcher

House Sponsor:

LONG TITLE**General Description:**

This bill deals with the ability of a city attorney to employ and deputize additional attorneys.

Highlighted Provisions:

This bill:

- provides that a city attorney may employ a deputy attorney to perform the duties of public prosecutor or civil counsel;
- provides that a city attorney may deputize, for a limited time or limited purpose, an attorney licensed to practice law in the state and in good standing with the Utah State Bar; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:**

10-3-928, as last amended by Laws of Utah 2018, Chapter 24

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

Section 1. Section **10-3-928** is amended to read:

10-3-928 . Attorney duties -- Deputy attorneys.

In cities with a city attorney, the city attorney:

- (1) may prosecute violations of city ordinances;
- (2) may prosecute, under state law, infractions and misdemeanors occurring within the boundaries of the municipality;
- (3) has the same powers in respect to violations as are exercised by a county attorney or

31 district attorney, except that a city attorney's authority to grant immunity shall be limited
32 to:

33 (a) granting transactional immunity for violations of city ordinances; and

34 (b) granting transactional immunity under state law for infractions and misdemeanors
35 occurring within the boundaries of the municipality;

36 (4) shall represent the interests of the state or the municipality in the appeal of any matter
37 prosecuted in any trial court by the city attorney;

38 (5) may cooperate with the Office of the Attorney General during investigations;[~~and~~]

39 (6) may designate a city attorney from another municipality or a public prosecutor to
40 prosecute a matter, in the court having jurisdiction over the matter, if the city attorney
41 has a conflict of interest regarding the matter being prosecuted[~~;~~];

42 (7) may employ a deputy attorney to perform the duties of public prosecutor or civil
43 counsel; and

44 (8) may specially deputize, for a limited time or limited purpose, an attorney licensed to
45 practice law in the state and in good standing with the Utah State Bar as a deputy to
46 assist in any public prosecutor or civil counsel duties specified in the special
47 deputization.

48 Section 2. **Effective Date.**

49 This bill takes effect on May 6, 2026.