



Index for Title 17 Recodification

Comparison of Sections New to Old

The table below provides an index for statutes enacted or renumbered and amended by [SB 1006 \(2025 First Special Session\)](#) and [SB 1007 \(2025 First Special Session\)](#). For more detailed information regarding the recodification, please contact the Office of Legislative Research and General Counsel.

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SB1006, Title 17 Recodification General Provisions and County Officers

Title 17, Chapter 60: General Provisions Applicable to Counties

New Section	Title	Old Section(s)
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17-60-302	Initiating a petition to move a county seat – Certification of petition signatures – Removal of signature -- Limitation	17-11-2



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17-60-402	Payment or rejection of claims	17-50-402
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17-60-405	County legislative body claim for expenses – County attorney’s opinion of legality	17-50-405
17-60-406	Officers not to advocate claims – Right to oppose claims	17-50-406
17-60-407	State to indemnify county regarding refusal to site nuclear waste – Terms and conditions	17-34-6; 17-27a-409
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17-60-502	Knives regulated by state	17-50-332
17-60-503	Right to breast feed	17-15-25
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17-60-505	Reassignment of lien prohibited	17-50-337
17-60-506	Prohibition against regulation of nutritional information dissemination	17-50-329
17-60-507	Private employee benefit requirements prohibited -- Exception	17-50-334
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17-61-201	Consolidation of counties – Petition – Certification of petition signatures – Removal of signature – Election – Ballot	17-2-103
17-61-202	Certification of election result to governor	17-2-104
17-61-203	Governor’s proclamation – Notice and plat to lieutenant governor – Recording requirements – Effective date	17-2-105
17-61-204	Effect of consolidation – Pending criminal proceedings	17-2-106
Part 3	County Annexation	



17-61-301	Annexation of portion of county to adjoining county – Petition – Certification of petition signatures – Removal of signature – Election – Ballot	17-2-203
17-61-302	Certification of election result to governor	17-2-204
17-61-303	Governor’s proclamation – Notice to lieutenant governor – Recording requirements – Effective date	17-2-205
17-61-304	Territory becomes part of annexing county – Division of revenues	17-2-206
17-61-305	Effect on precincts and school districts – Pending criminal proceedings.	17-2-207; 17-2-208
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17-61-403	County seat, selection by election -- First officers -- Election	17-3-4
17-61-404	Records to be transmitted -- Expenses for transcribing and transfer	17-3-5
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17-62-202	Expanded county commission form of government – Commission member elections	17-52a-202
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17-62-302	County legislative body initiation of adoption of optional plan -- Procedure.	17-52a-302
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17-62-404	Plan may propose changing forms of county government -- Partisan elections.	17-52a-405
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17-62-503	Adoption of optional plan -- Election of new county officers -- Effect of adoption.	17-52a-503
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17-62-505	Repeal of optional plan – Certification of petition signatures – Removal of signature	17-52a-505

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17-63-702	Taxation for county purposes – Statement of county debt required	17-53-220, 17-53-219, 17-8-6
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Part 2	Qualifications	
17-65-201	Reserved	
Part 3	Powers and Duties	
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17-65-303	Executive orders	17-53-316
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17-65-306	Warrants – Authority to draw on treasury	17-53-305; 17-53-306
17-65-307	Appointment of an individual with advice and consent of county legislative body	17-53-317
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17-65-404	Changes or alterations in contract – Liability of county	17-53-310
17-65-405	Contracting for management, maintenance, operation, or construction of county jails	17-53-311

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17-66-103	Officers at county seats – Office hours	17-16-9; 17-23-2**
17-66-104	Consolidation of county offices – County clerk to perform duties of county auditor under certain circumstances	17-16-3, 17-16-4
17-66-105	Crime insurance for county officers	17-16-11
17-66-106	County officer deputies -- Powers, duties, and liability of county officer deputies	17-16-8
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17-66-205	Candidates to comply with conflict of interest disclosures	New (XRef to 17-70-304)
17-66-206	Qualifications not exhaustive	New
Part 3 Fiscal Duties		
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17-66-303	Fees of county officers	17-16-21
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17-66-402	Salaries to be full compensation – Compensation for deputies	17-16-19
17-66-403	Salaries in the case of consolidated offices	17-16-20



17-66-404	Change of county class effect on salaries – Salaries for new counties	17-16-17
Part 5	Provisions Applicable to Legislative Officers and the County Executive	
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17-66-504	Supervision of county elected officers – Legislative body and executive may examine and audit accounts and conduct investigation	17-53-106
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17-67-301	Duties of assessor	17-17-1(1)
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17-68-103	Consolidated office	17-18a-204
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17-68-203	License suspended -- Vacancy	17-18a-803; 17-53-104(2)
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17-68-302	County attorney powers and functions	17-18a-202
17-68-303	District attorney powers and functions	17-18a-203
17-68-304	Assistance to the attorney general	17-18a-601
17-68-305	Deputy attorneys	17-18a-602
17-68-306	Prohibited acts	17-18a-605
Part 4 Prosecution District		
17-68-401	Creation of a prosecution district	17-18a-701
17-68-402	Multicounty prosecution district	17-18a-702
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17-69-102	Seal	17-19a-201
17-69-103	County clerk ex officio county auditor in certain counties	17-53-101(2)
Part 2 Qualifications and Term		
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17-69-202	Qualifications of a county auditor in a county of the first class	17-19a-201.5
Part 3 Powers and Duties		
17-69-301	Duties and services	17-19a-202
17-69-302	Auditing services	17-19a-204
17-69-303	Performance audit services	17-19a-206
17-69-304	Accounting services	17-19a-205



17-69-305	Management of financial records – Disposal of records	17-19a-207
17-69-306	Reporting – State treasurer – County legislative body	17-19a-208
17-69-307	Payments and warrants	17-19a-301
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New Section	Title	Old Section(s)
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17-70-102	Seal	New
17-70-103	Ex officio auditor in certain counties	17-53-101(2)
Part 2 Qualifications and Term		
17-70-201	Elections training	New (cross reference)
Part 3 Powers and Duties		
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17-70-302	Duties	17-20-1.7; 17-20-4
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17-70-505	Interest in business entity regulated by county – Disclosure	17-16a-6
17-70-506	Interest in business entity doing business with county – Disclosure	17-16a-7
17-70-507	Investment creating conflict of interest with duties – Disclosure	17-16a-8
17-70-508	Recission of prohibited transaction	17-16a-12
17-70-509	Annual conflict of interest disclosure – Penalties	17-16a-13



17-70-510	Prohibitions -- Violations	17-16a-9; 17-16a-10
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17-71-103	County surveyor duties in certain counties	New
Part 2 Qualifications and Term		
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17-71-304	Annual revision – Reporting changes in ownership to county assessors – Use of geographic information systems or computer systems	17-21-22
17-71-305	Acknowledgments and administrations of oaths	17-21-16
17-71-306	Establishment of county recorder appeal authority	17-50-340
17-71-307	Prohibited acts	17-21-17
Part 4 General Recording Provisions		
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17-71-402	Recording required – County recorder may impose requirements on documents to be recorded – Requirements for recording local entity plat – Point of the Mountain State Land Authority plat	17-21-20
17-71-403	Names of persons signing to be typed or printed on instruments presented for recording	17-21-25
17-71-404	Public record of original documents or copies – Receipt of recording	17-21-3; 17-21-5
17-71-405	Records open to inspection – Copies	17-21-19; 17-21-4
17-71-406	Redacting personal information	17-21-12.5
17-71-407	Fees – Fees must be paid in advance	17-21-18; 17-21-18.5
17-71-408	Notice given by recording	17-21-11



Part 5 Particular Recorded Documents		
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17-71-502	Judgments affecting real estate	17-21-10
17-71-503	Military records – Evidence	17-21-14
17-71-504	Notice of significant private airports	17-27a-538 (include new definition of land use authority, since the section is moving)
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17-71-602	Validity of electronic documents	17-21a-202
17-71-603	Recording of documents	17-21a-203
17-71-604	Uniformity of application and construction	17-21a-402
17-71-605	Relation to Electronic Signatures in Global and National Commerce Act	17-21a-403

Chapter 72: County Sheriff

New Section	Title	Old Section(s)
Part 1 General Provisions		
17-72-101	Definitions	17-22-1; 17-22-5.6(1); 17-22-32(1); 17-22-8(1)
Part 2 Qualifications and Term		
17-72-201	County sheriff qualifications – Declaring office vacant	17-22-1.5; 17-22-16
Part 3 Powers and Duties		
17-72-301	General duties	17-22-2
17-72-302	Primary law enforcement authority	17-22-31
17-72-303	Duty to respond to county legislative body, county executive	New (cross ref to 17-53-304 and 17-53-217)
17-72-304	Fees	17-22-2.5
17-72-305	Certain liability	17-22-18
Part 4 County Jails		
17-72-401	County jails -- Sheriff as keeper – Contracting with private contractor	17-22-4
17-72-402	Sheriff's classification of jail facilities – Maximum operating capacity of jail facilities – Transfer or release of prisoners – Limitation -- Records	17-22-5.5
17-72-403	Special guards for county jail	17-22-7
17-72-404	County jails authorized to hold federal prisoners	17-22-9
17-72-405	Commissary account policy disclosure requirements	17-22-33



17-72-406	Maintaining order in the county jail – Imposing restitution	17-22-28
17-72-407	Notice to county jail facilities	17-22-29
17-72-408	County jail reporting requirements	17-22-32
17-72-409	Suicide Deterrence Grant application	New
17-72-410	Correctional facility telephone service	New
Part 5 Responsibility for Prisoners		
17-72-501	Disclosure of prisoner medical clearance – Care and health care of prisoners – Funding of services – Private contractor.	17-22-8; 17-22-8.1
17-72-502	Transfer of inmates to state prison	17-22-3
17-72-503	Sheriff's classification of prisoners – Classification criteria – Alternative incarceration programs – Limitation	17-22-5
17-72-504	Service of process on prisoners – Penalty	17-22-6
17-72-505	Citizenship determination of prisoners – Notification to and coordination with federal authorities when releasing certain individuals	17-22-9.5
17-72-506	Prisoners under civil process	17-22-10
17-72-507	Escapes – Sheriff's liability – Defenses	17-22-17; 17-22-19
Part 6 Responsibility for Individuals on Probation		
17-72-601	Probation supervision – Violation of probation – Detention – Hearing	17-22-5.6
Part 7 Process Service and Duty to the Court		
17-72-701	Process on behalf of state – Fees	17-22-26
17-72-702	Process justifies sheriff's action – Process to be exhibited	17-22-21; 17-22-22
17-72-703	Return of process – Prima facie evidence	17-22-11; 17-22-12
17-72-704	Failure or delay in making return on process – Failure to levy execution – Penalty	17-22-13; 17-22-14
17-72-705	Only written directions to sheriff binding	17-22-20
17-72-706	Service of papers, other than process, on sheriff – Powers of successor	17-22-24
17-72-707	Crier of court	17-22-23
17-72-708	Assignment of court bailiffs – Contract and costs	17-22-27
Part 8 Responsibility for Assets, Records, and Information		
17-72-801	Neglect or refusal to pay over money – Penalty	17-22-15
17-72-802	Prohibition on providing copy of booking photograph – Statement required – Victim access – Criminal liability for false statement – Remedy for failure to remove or delete	17-22-30
17-72-803	Notification requirements to state agencies regarding potential inmate debts	17-22-35
17-72-804	State identification numbers and biometric and other personal information	17-22-36



Chapter 73: County Surveyor

New Section	Title	Old Section(s)
Part 1 General Provisions		
17-73-101	Definitions	New
17-73-102	County surveyor seal	17-23-3
17-73-103	Office furnishings and supplies – Filing and indexing fees – Records remain county property	17-23-2
17-73-104	County surveyor to use funds in Public Land Corner Preservation Funds	17-23-19(1) and XRefs
Part 2 Qualifications		
17-73-201	County surveyor to be elected -- Requirement to be licensed land surveyor – Authority to contract with licensed land surveyor if no elected county surveyor – County surveyor duties	17-23-1
Part 3 Powers and Duties		
17-73-301	Maps for county or county officers	17-23-5
17-73-302	Authority of county surveyor	17-23-12
Part 4 County Surveyors and Other Government Entities		
17-73-401	Resurveys of surveys conducted by the United States	17-23-16
17-73-402	Survey by direction of court – Compensation	17-23-7
Part 5 Surveying Processes and Penalties		
17-73-501	Setting monuments	17-23-13
17-73-502	Disturbed corners – County surveyor to be notified – Coordination with certain state agencies	17-23-14
17-73-503	Removal, destruction, or defacement of monuments or corners as infraction – Costs	17-23-15
17-73-504	Map of boundary survey – Procedure for filing – Contents – Marking of monuments – Record of corner changes -- Penalties	17-23-17
17-73-505	Corner perpetuation and filing – Establishment of corner file – Preservation of map records – Filing fees -- Exemptions	17-23-17
17-73-506	Amendment of survey maps or narratives by affidavit of corrections	17-23-18
17-73-507	Final plats of local entity boundary actions – County surveyor approval of final plat – Plat requirements	17-23-20

Chapter 74: County Treasurer



New Section	Title	Old Section(s)
Part 1	General Provisions	
17-74-101	Definitions	New
17-74-102	Reassignment of certain assessor duties to treasurer	17-16-5.5
17-74-103	Seal of county treasurer	17-24-21
Part 2	Qualifications	
17-74-201	Reserved	New
Part 3	Powers and Duties Generally	
17-74-301	General duties	17-24-1
17-74-302	Payment of warrants in order presented – Nonpayment and interest	17-24-4; 17-24-5
Part 4	Duties to Other County Officers	
17-74-401	Reports to county executive or legislative body	17-24-12
17-74-402	Monthly reconciliation with county auditor – Assistance to county auditor in making reports	17-24-11
17-74-403	Examination of records open to other county officers, officials	17-24-19
Part 5	Specific Deposit Responsibilities	
17-74-501	Deposit of certain funds (XRefs)	New

SB 1007, Title 17 Recodification County Programs and Related Provisions

Chapter 75: General County Personnel Management

New Section	Title	Old Section(s)
Part 1	General Provisions	
17-75-101	Definitions	17-16a-3 (sections); 17-16a-3.5; 17-33-2
17-75-102	Compliance with Labor Code requirements	17-33-11.5
17-75-103	Training requirements	17-50-108
Part 2	County Officer Deputies	
17-75-201	Deputy appointments – County legislative body consent power – Liability of principal - -Deputy may serve despite vacancy in office of appointing officer	17-16-7; 17-33-16
17-75-202	Compensation for deputies	17-16-19 (second part related to deputies)
Part 3	Specific Employee Benefits and Protections	
17-75-301	Counties authorized to make benefits generally available to employees, employee dependents, or an employee's adult designee – Registry authorized – Limitations	17-50-325



17-75-302	Bereavement leave following miscarriage or stillbirth	17-33-5(5)
17-75-303	Political activities of employees	17-33-11
17-75-304	County required to provide leave to a legislator on an authorized legislative day	17-15-33
17-75-305	Leave of absence for county employee seeking election	17-15-26
Part 4	Personnel Management – General	
17-75-401	Establishment of merit system – Separate systems for peace officers and firefighters recognized – Options for small counties	17-33-1
17-75-402	Merit principles	17-33-3
17-75-403	Grievance and appeals procedure -- Employees' complaints of discriminatory employment practice.	17-33-10
Part 5	Career Service	
17-75-501	Career service council – Members and alternate members – Powers and duties -- Appeals -- Time limit -- Qualifications, appointment, terms, and compensation of council members – Career service council authorized to refer an appeal to an administrative law judge	17-33-4; 17-33-4.5
17-75-502	Career service -- Exempt positions.	17-33-8
17-75-503	Acceptance of exempt position by career service employee -- Reappointment register.	17-33-9
Part 6	Office of Personnel Management	
17-75-601	County executive appoints the director of personnel management	17-33-5 (1)
17-75-602	Director of personnel management responsibilities -- Personnel policies	17-33-5
17-75-603	Functions of county office of personnel management -- Personnel functions of county agencies, departments, or offices.	17-33-7
17-75-604	Certification of eligibility by director – Power of director to examine payrolls	17-33-6
17-75-605	Reciprocal agreements for benefit of system – Cooperation by director with other government agencies	17-33-12
Part 7	Prohibited Actions	
17-75-701	Prohibited actions	17-33-13
17-75-702	Violations – Misdemeanor – Ineligibility for employment and forfeiture of position	17-33-14

Chapter 76: County Emergency Personnel Management

New Section	Title	Old Section(s)
Part 1	General Provisions	



17-76-101	Definitions	Reserved
17-76-102	Applicability	Reserved
17-76-103	Severability	17-30-23; 17-33-15 (2)
Part 2 Deputy Sheriff Merit System		
17-76-201	Definitions	17-30-1
17-76-202	Applicability	17-30-2
17-76-203	Establishment of merit system commission – Appointment, qualifications, and compensation of members	17-30-3
17-76-204	Duty of commission – Provide for unspecified activities	17-30-4; 17-30-23
17-76-205	Organization of commission – Secretary – Offices – Job classification plan	17-30-5
17-76-206	Power of commission to administer oaths and subpoena witnesses – Rights of and fees for witnesses	17-30-21
17-76-207	Examinations – How prepared, conducted, and graded – Notice of examination – Preservation and inspection of examination papers	17-30-6; 17-30-8
17-76-208	Disqualification from examination – Appeal to commission	17-30-7
17-76-209	Preparation and expiration of eligible register – Appointments from eligible register – Failure to accept appointment – Probationary period	17-30-9; 17-30-10; 17-30-11
17-76-210	Vacancies – Positions requiring special qualifications – Competition suspended – Promotion – Promotion register	17-30-12
17-76-211	Temporary appointment – Emergency appointment	17-30-14; 17-30-15
17-76-212	Temporary layoffs – Reemployment register	17-30-16
17-76-213	Transfer of merit system officer	17-30-13
17-76-214	Leave of absence – Sick leaves and vacations	17-30-17
17-76-215	Demotion, reduction in pay, suspension or discharge – Grounds	17-30-18
17-76-216	Disciplinary charges and merit system officer grievances – Appeal to commission – Hearings – Findings – Appeal to district court – Scope of review	17-30-19; 17-30-20
17-76-217	Prohibitions against political activities -- Penalties	17-30-22
Part 3 Peace Officer Merit System in Counties of the First Class		
17-76-301	Definitions	17-30a-102
17-76-302	Applicability	17-30a-103
17-76-303	Subordinate peace officers appointed, reappointed	17-30a-104



17-76-304	Establishment of merit commission in county of the first class – Appointment, qualifications, and compensation of members	17-30a-202
17-76-305	General duty – Creation of comprehensive job classification plan – Oaths and subpoenas – Provide for unspecified activities	17-30a-203; 17-30a-205; 17-30a-206; 17-30a-207
17-76-306	Organization of merit commission in county of the first class – Support – Offices	17-30a-204
17-76-307	Examinations – How prepared, conducted, and graded – Notice	17-30a-302
17-76-308	Disqualification from examination – Appeal to commission	17-30a-303
17-76-309	Preservation of inspection of examination papers	17-30a-304
17-76-310	Preparation and expiration of eligible register – Appointments from eligible register – Failure to accept appointment – Probationary period	17-30a-305; 17-30a-306; 17-30a-307
17-76-311	Vacancies – Positions requiring special qualifications – Competition suspended – Promotion – Promotion register	17-30a-308
17-76-312	Temporary appointments – Part-time appointment	17-30a-310
17-76-313	Temporary layoffs – Reappointment register	17-30a-311
17-76-314	Transfer and reassignment	17-30a-309
17-76-315	Vacation, sick leave, and other benefits	17-30a-313
17-76-316	Reappointment after temporary leave	17-30a-312
17-76-317	Disciplinary charges and officer grievances – Appeal to commission – Hearings – Findings – Appeal to district court – Scope of review	17-30a-402; 17-30a-403; 17-30a-404
17-76-318	Prohibitions against political activities -- Penalties.	17-30a-314
Part 4 Provisions Unique to Law Enforcement Officers		
17-76-401	Definitions	New
17-76-402	Applicability -- Overtime for law enforcement personnel -- Exception	17-33-11.7
17-76-403	Appointment of more than one deputy	17-30a-502; 17-30-24
Part 5 Firefighters' Civil Service Commission		
17-76-501	Definitions	New
17-76-502	County fire civil service councils created	17-28-1
17-76-503	Vacancies – Compensation – Removal	17-28-2
17-76-504	Organization of fire civil service council	17-28-3
17-76-505	Duties of executive director – Duties of secretary	17-28-6; 17-28-4; 17-28-14
17-76-506	Rules of Fire Civil Service System – Merit principles	17-28-2.4; 17-28-2.6 (cross ref)
17-76-507	Appointment of county fire department personnel -- Volunteers	17-28-5
17-76-508	Examinations	17-28-7



17-76-509	Eligible appointees – Certification of eligible appointees – Probationary period	17-28-8; 17-28-9
17-76-510	Vacancies in civil service positions	17-28-10
17-76-511	Temporary work – Term or period	17-28-11
17-76-512	Removal from office and disciplinary action – Appeals – Hearing and determination – Findings – Appeal to district court	17-28-12; 17-28-13

Chapter 77: Local Health and Human Services

New Section	Title	Old Section(s)
Part 1 General Provisions		
17-77-101	Definitions	17-43-102; 17-43-203(1); 17-43-303(1)
17-77-102	Provisions for general health – Creation of local health department	17-50-313
17-77-103	Mental health and substance use services	17-50-318
Part 2 Local Substance Abuse Authorities		
17-77-201	Local substance abuse authorities -- Responsibilities	17-43-201
17-77-202	Requirements for distributing public funds	17-43-202
17-77-203	Use and oversight of public funds	17-43-203
17-77-204	Fees for substance abuse services – Responsibilities for cost of service to nonresident -- Funds from other sources	17-43-204
17-77-205	Registration as a limited purpose entity	17-43-205
Part 3 Local Mental Health Authorities		
17-77-301	Local mental health authorities – Responsibilities	17-43-301
17-77-302	Requirements for distributing public funds	17-43-302
17-77-303	Use and oversight of public funds	17-43-303
17-77-304	Contracts for mental health services provided by local mental health authorities	17-43-304
17-77-305	Fees for mental health services -- Responsibility for cost of services to nonresident – Funds from other sources	17-43-306
17-77-306	Specified treatments prohibited – Criminal penalties	17-43-308
17-77-307	Local mental health advisory councils – Powers and responsibilities	17-43-309
17-77-308	Registration as a limited purpose entity	17-43-310

Chapter 78: County Property, Programs, and Entities

New Section	Title	Old Section(s)
Part 1 County Property – General Provisions		



17-78-101	Definitions	17-50-312(1); 17-8-5.5(final clause)
17-78-102	County powers regarding property, water rights, and water facilities – Retainage	17-50-310
17-78-103	Acquisition, management, and disposal of property	17-50-312
17-78-104	Courthouse, jail, hospital and other public buildings -- Retainage	17-50-311
Part 2 Development and Preservation of County Areas and Culture		
17-78-201	Development of county resources	17-50-316
17-78-202	Preservation of historical areas and sites	17-50-326
17-78-203	Support of the arts by counties – Guidelines	17-50-320
17-78-204	Energy efficiency upgrade, clean energy system, or electrical vehicle charging infrastructure	17-50-335
Part 3 Flood Control Projects and Drought Emergencies		
17-78-301	Counties may contract with United States – Construction of flood control project	17-8-1
17-78-302	Maintenance of project – Acquisition of property	17-8-2
17-78-303	Distribution of waters – Operation of projects	17-8-3
17-78-304	Joint action of two or more counties	17-8-4
17-78-305	Clearing, improving, fencing, and construction of natural channels, sewers, and drains – Enforcement of laws and regulations	17-8-5
17-78-306	Protection of channels and flood plains – Acquisition of land	17-8-5.5
17-78-307	Declaration of drought emergency – Appropriation – Tax levy	17-8-7 (17-8-6?)
Part 4 Transportation		
17-78-401	County powers to acquire, construct, and control roads and other facilities – Retainage	17-50-305
17-78-402	Granting franchises over public roads – Limitation	17-50-306
17-78-403	Franchises for toll roads	17-50-307
17-78-404	Franchises for ferries and bridges	17-50-308
17-78-405	Regulation of use of roads	17-50-309
17-78-406	Prohibition against spending certain transportation funds	17-50-330
17-78-407	County funding for a fixed guideway	17-50-322
Part 5 Provision of Municipal-Type Services to Unincorporated Areas		
17-78-501	Counties authorized to provide municipal services – First-class counties required to provide certain services	17-34-1



17-78-502	Taxes or service charges for municipal-type services – Budgeting, accounting for, and disbursing funds – Annual audit	17-34-3, 17-34-5
17-78-503	Certain counties to establish funds or special service districts	17-36-9(2)
17-78-504	Contracts under Interlocal Cooperation Act permissible	17-34-4
Part 6	Constables ¹	
17-78-601	County legislative body to determine whether to appoint or contract with constables – Authority	17-25a-1; 17-25-5
17-78-602	Constable qualifications – Duties – Constables to serve process in certain circumstances	17-25a-2; 17-22-25
17-78-603	Term – Authority – Deputies	17-25a-3; 17-25-1;
17-78-604	Fees for constables – Civil	17-25-2
17-78-605	Fees for constables – Criminal	17-25-3; 17-25-4
17-78-606	Rates recoverable -- Exception	17-25a-4
17-78-607	Indemnification of constables – Uniform requirements	17-25-6
Part 7	Establishing and Promoting Recreation, Tourism, and Conventions	
17-78-701	Definitions	17-31-2(1)
17-78-702	Counties authorized to levy transient room tax – Purposes and expenditures – Purchase or lease of facilities – Mitigating impacts of recreation, tourism, or conventions – Issuance of bonds	17-31-2
17-78-703	Powers and duties of a county legislative body related to transient room tax	17-31-5
17-78-704	Report -- Content	17-31-5.5
17-78-705	Reserve fund authorized – Use of collected funds – Limitation on surplus in fund	17-31-3
17-78-706	Tourism tax advisory boards	17-31-8
17-78-707	Payment to Stay Another Day and Bouncer Back Fund and Hotel Impact Mitigation Fund	17-31-9
Part 8	Planetariums	
17-78-801	Tax levy for establishment of public planetarium	17-37-1
17-78-802	Planetarium board of directors – Establishment – Expenses	17-37-2
17-78-803	Appointment of directors -- Terms -- Removal of directors -- Vacancies.	17-37-3

¹ Title 17, Chapter 25a, Appointment and Authority of Constables currently addresses the authority of counties *and municipalities* to appoint and utilize the services of constables. For organizational purposes, the Title 17 recodification will include a new section in Title 10, Chapter 7, Miscellaneous Powers and Duties of Municipalities. See the end of this document.



17-78-804	Delegation of management and control authority to directors by county executive body -- Contract or lease with private entity for management -- Deposit of money collected -- Expenditures -- Recommendations by directors to county executive body.	17-37-4
17-78-805	Budget prepared by directors -- Fiscal year -- Tax levy.	17-37-5
17-78-806	Rules and regulations -- Use of planetarium by nonresidents.	17-37-6
17-78-807	Annual report -- Financial statement.	17-37-7
17-78-808	Director to be appointed -- Duties and compensation -- Other personnel.	17-37-8
17-78-809	Donations permitted -- Use.	17-37-9
Part 9	Zoos	
17-78-901	Tax levy for establishment of zoo	17-38-1
17-78-902	Operation and maintenance of zoo – Advisory board – Contract for services	17-38-2
17-78-903	Donations	17-38-3
Part 10	Counties and Certain Businesses	
17-78-1001	Indemnification of farmers markets	17-50-323
17-78-1002	Regulation of drive-through facilities	17-50-329.5
17-78-1003	Regulation of sexually oriented businesses	17-50-331
17-78-1004	Regulation of retail tobacco specialty business	17-50-333
17-78-1005	Prohibition on licensing or certification of childcare programs	17-50-339
Part 11	County Regulation of Particular Non-County Property	
17-78-1101	Ordinances regarding co-ownership – Prohibition on county ordinances restricting co-ownership models	17-50-341
17-78-1102	Ordinances regarding short-term rentals – Prohibition on ordinances restricting speech on short-term rental websites – Evidence of short-term rental – Removing a listing.	17-50-338
17-78-1103	Regulations of carbon monoxide detectors – Enforcement against occupant only	17-50-327
17-78-1104	Easement for utility use – Realignment at property owner's expense	17-15-29

Chapter 79: County Land Use, Development, and Management Act

New Section	Title	Old Section(s)
Part 1	General Provisions	



17-79-101	Purposes – General land use authority – Limitations	17-27a-102
17-79-102	Definitions	17-27a-103
17-79-103	County standards	17-27a-104
Part 2	Notice	
17-79-201	Required notice	17-27a-201
17-79-202	Applicant notice – Waiver of requirements	17-27a-202
17-79-203	Notice of intent to prepare a general plan or comprehensive general plan amendments in certain counties	17-27a-203
17-79-204	Notice of public hearings and public meetings to consider general plan or modifications	17-27a-204
17-79-205	Notice of public hearings and public meetings on adoption or modification of land use regulation	17-27a-205
17-79-206	Third party notice – High priority transportation corridor notice	17-27a-206
17-79-207	Notice for an amendment to a subdivision – Notice for vacation of or change to street	17-27a-207
17-79-208	Hearing and notice for petition to vacate a public street	17-27a-208
17-79-209	Notice challenge	17-27a-209
17-79-210	Notice to county when a private institution of higher education is constructing student housing	17-27a-210
17-79-211	Canal owner or operator – Notice to county	17-27a-211
17-79-212	Notice for an amendment to public improvements in a subdivision or development	17-27a-212
17-79-213	Hearing and notice procedures for modifying sign regulations	17-27a-213
17-79-214	Significant airport	New with cross reference to 17-27a-538/17-71-504
Part 3	General Land Use Provisions	
17-79-301	Ordinance establishing planning commission required – Exception – Ordinance requirements – Planning advisory area planning commission – Compensation	17-27a-301
17-79-302	Planning commission powers and duties – Training requirements	17-27a-302
17-79-303	Planning advisory areas	17-27a-306
17-79-304	Entrance upon land	17-27a-303
17-79-305	Political subdivisions required to conform -- Exceptions	17-27a-305
17-79-306	State and federal property exempt	17-27a-304
Part 4	General Plan	
17-79-401	General plan required	17-27a-401(1), (2), (5), (6), (8), (9)



17-79-402	Specific provisions for general plan – Moderate income housing plan -- Resource management plan – Provisions related to radioactive waste facilities – Mountainous planning district	17-27a-401(3), (4), and (7) – add XRef to Chapter 80
17-79-403	General plan preparation	17-27a-403
17-79-404	Public hearing by planning commission on proposed general plan or amendment -- Notice -- Revisions to general plan or amendment -- Adoption or rejection by legislative body.	17-27a-404
17-79-405	Effect of general plan -- Coordination with federal government.	17-27a-405
17-79-406	Public uses to conform to general plan	17-27a-406
17-79-407	Effect of official maps	17-27a-407
17-79-408	Mountainous planning district	17-27a-901
Part 5	Land Use Regulations – General Processes	
17-79-501	Enactment of land use regulation	17-27a-501
17-79-502	Preparation and adoption of land use regulation	17-27a-502
17-79-503	Zoning district or land use regulation amendments	17-27a-503
17-79-504	Temporary land use regulations	17-27a-504
17-79-505	Zoning districts	17-27a-505
17-79-506	Conditional uses	17-27a-506
17-79-507	Classification of new and unlisted business uses	17-27a-506.5
17-79-508	Development agreements	17-27a-528
Part 6	Land Use Regulations – Particular Situations	
17-79-601	Limitation on single family designation	17-27a-505.5
17-79-602	Private maintenance of public access amenities prohibited	17-27a-508.1
17-79-603	Transferable development rights	17-27a-509.7
17-79-604	Termination of a billboard and associated rights	17-27a-511
17-79-605	County's acquisition of billboard by eminent domain -- Removal without providing compensation -- Limit on allowing nonconforming billboard to be rebuilt or replaced -- Validity of county permit after issuance of state permit.	17-27a-512
17-79-606	Regulation of amateur radio antennas	17-27a-514
17-79-607	Regulation of residential facilities for persons with disabilities	17-27a-515 (include Xref to new 17E)
17-79-608	Wetlands	17-27a-520
17-79-609	Refineries	17-27a-521
17-79-610	Cannabis production establishments and medical cannabis pharmacies	17-27a-525
17-79-611	Changes to rental dwelling units – Egress windows	17-27a-510.5
17-79-612	Utility service connections	17-27a-527



17-79-613	Infrastructure improvements involving roadways	17-27a-529
17-79-614	Regulation of building design elements prohibited – Regulation of parking spaces prohibited – Exceptions	17-27a-530
17-79-615	Water-wise landscaping – County landscaping regulations	17-27a-532
17-79-616	Land use compatibility with military use	17-27a-533
17-79-617	Residential rear setback limitations	17-27a-534
17-79-618	Operation of a tower crane	17-27a-535
17-79-619	Digital asset mining	17-27a-539
17-79-620	High tunnels – Exemption from county regulation	17-27a-540
Part 7	Subdivisions	
17-79-701	Enactment of subdivision ordinance	17-27a-601
17-79-702	Planning commission preparation and recommendation of subdivision ordinance	17-27a-602
17-79-703	Plat required when land is subdivided	17-27a-603
17-79-704	Subdivision plat approval procedure	17-27a-604
17-79-705	Process for subdivision review and approval	17-27a-604.1
17-79-706	Review of subdivision applications and subdivision improvement plans	17-27a-604.2
17-79-707	Subdivision plat recording or development activity before required infrastructure is completed – Improvement completion assurance – Improvement warranty	17-27a-604.5
17-79-708	Exemption from plat requirement	17-27a-605
17-79-709	Common area parcels on a plat – No separate ownership – Ownership interest equally divided among other parcels on plat and included in description of other parcels	17-27a-606
17-79-710	Dedication by plat of public streets and other public places	17-27a-607
17-79-711	Subdivision amendments	17-27a-608
17-79-712	Land use authority approval of vacation or amendment of plat – Recording the amended plat	17-27a-609
17-79-713	Petition to vacate a public street	17-27a-609.5
17-79-714	Restrictions for solar and other energy devices	17-27a-610
17-79-715	Prohibited acts regarding subdivisions	17-27a-611
17-79-716	Notice of subdivision located near vested critical infrastructure materials operation	17-27a-1004, 17-41-403(4)
Part 8	Administration of Land Use, Development, and Management Provisions	
17-79-801	Land use authority requirements	17-27a-308
17-79-802	Urban development in municipal expansion	17-27a-309



17-79-803	Applicant's entitlement to land use application approval -- Application relating to land in a high priority transportation corridor -- County's requirements and limitations -- Vesting upon submission of development plan and schedule	17-27a-508
17-79-804	County fees for reviewing or approving plans – Requirement to itemize fees – Appeal of fee – Provider of culinary or secondary water	17-27a-509
17-79-805	Review for application completeness – Substantive application review – Reasonable diligence required for determination of whether improvements or warranty work meets standards – Money damages claim prohibited	17-27a-509.5
17-79-806	Simple boundary adjustment – Full boundary adjustment – Process – Review by land use authority	17-27a-522
17-79-807	Boundary establishment – Process – Not subject to review by land use authority – Prohibitions	17-27a-523
17-79-808	Site plan	17-27a-524
17-79-809	Identical plan review – Process – Indexing of plans – Prohibitions	17-27a-536
17-79-810	Plan review of certain construction projects – Approval of plans	17-27a-537
17-79-811	Provisions applicable to a provider of culinary or secondary water	17-27a-509(7)
17-79-812	Exactions – Exaction for water interest – Requirement to offer to original owner property acquired by exaction	17-27a-507
Part 9	Enforcement	
17-79-901	Enforcement	17-27a-802
17-79-902	Penalties	17-27a-803
17-79-903	Nonconforming uses and noncomplying structures	17-27a-510
Part 10	Appeal Authority, Variances, and District Court Review	
17-79-1001	Appeal authority required	17-27a-701
17-79-1002	Variances	17-27a-702
17-79-1003	Appealing a land use authority's decision	17-27a-703
17-79-1004	Time to appeal	17-27a-704
17-79-1005	Burden of proof	17-27a-705
17-79-1006	Due process	17-27a-706
17-79-1007	Scope of review of factual matters on appeal	17-27a-707
17-79-1008	Final decision	17-27a-708
17-79-1009	No district court review until administrative remedies exhausted	17-27a-801
17-79-1010	Consent agreement	17-27a-804



Chapter 80: Counties and Housing Supply

New Section	Title	Old Section(s)
Part 1 General Provisions		
17-80-101	Definitions	17-27a-1201; 17-27a-408(1)
17-80-102	Applicability	New – incorporate provisions of Title 79
Part 2 County Plans for Housing		
17-80-201	Moderate income housing plan required -- Report – Contents – Prioritization for funds or projects – Ineligibility for funds after noncompliance – Civil actions	17-27a-408
17-80-202	Moderate income housing report	17-27a-408(2)-(10)
Part 3 Land Use Regulations Unique to Residential Zones and Residential Units		
17-80-301	Moderate income housing	17-27a-531
17-80-302	Manufactured homes	17-27a-513
17-80-303	Internal accessory dwelling units	17-27a-526
Part 4 Optional Tools for Counties to Promote Housing Supply		
17-80-401	Affordable home ownership density bonus for single-family residential units	17-27a-403.1
17-80-402	Affordable home ownership density bonus for multi-family residential units	17-27a-403.2
Part 5 Home Ownership Promotion Zone		
17-80-501	County designation of home ownership promotion zone	17-27a-1202
17-80-502	Applicability, requirements, and limitations	17-27a-1203
17-80-503	Notification before creation of a home ownership promotion zone.	17-27a-1204
17-80-504	Payment, use, and administration of revenue from a home ownership promotion zone	17-27a-1205
Part 6 Other Housing Supply Tools		
17-80-601	Reserved	

Chapter 81: Agriculture, Industrial, and Critical Infrastructure Materials

New Section	Title	Old Section(s)
Part 1 General Provisions		
17-81-101	Definitions ²	17-41-101, 17-41-601, 17-27a-1001

² Current Chapter 41 (defining “political subdivision” as a county, city, town, school district, special district, or service district). Municipalities utilize this process but only the county may establish the



17-81-102	Advisory boards	17-41-201
17-81-103	Applicability of LUDMA	New – cross ref
Part 2 Proposal and Approval of Protection Areas		
17-81-201	Proposal for creation of a protection area	17-41-301
17-81-202	Notice of proposal for creation of protection area	17-41-302
17-81-203	Review of proposal for creation of protection area	17-41-303
17-81-204	Public hearing	17-41-304
17-81-205	Criteria to be applied in evaluating a proposal for the creation of a protection area	17-41-305
17-81-206	Adding land to or removing land from a protection area	17-41-306
17-81-207	Review of protection areas	17-41-307
Part 3 Protection of Land in a Protection Area		
17-81-301	Farmland Assessment Act benefits not affected	17-41-401
17-81-302	Limitations on local regulations	17-41-402
17-81-303	Limits on political subdivisions with respect to a vested mining use	17-41-402.5
17-81-304	Nuisances	17-41-403
17-81-305	Eminent domain restrictions	17-41-405
17-81-306	Policy of state agencies	17-41-404
17-81-307	Restrictions on state development projects	17-41-406
Part 4 Vested Mining Use		
17-81-401	Vested mining use	17-41-501
17-81-402	Rights of a mine operator with a vested mining use	17-41-502
17-81-403	Abandonment of a vested mining use	17-41-503
Part 5 Open Land and Working Agricultural Land Use		
17-81-501	Use of money	17-41-602
Part 6 Large Concentrated Animal Feeding Operations		
17-81-601	Definitions	17-27a-1102
17-81-602	County adoption of a county large concentrated animal feeding operation land use ordinance	17-27a-1103
17-81-603	Criterial considered in adopting the geographic area of a county large concentrated animal feeding operation land use ordinance	17-27a-1104
Part 7 Vested Critical Infrastructure Materials Operations		
17-81-701	Vested critical infrastructure materials use	17-27a-1002
17-81-702	Rights of a vested infrastructure materials operator with a vested critical infrastructure materials use	17-27a-1003
17-81-703	Abandonment of a vested critical infrastructure materials use	17-27a-1005

advisory board. For organizational purposes, the Title 17 recodification will include a new section in Title 10, Chapter 7, Miscellaneous Powers and Duties of Municipalities. See the end of this document.



Title 17E: Counties and State Government

New Section	Title	Old Section(s)
Chapter 1	General Provisions	
Part 1	General Provisions	
17E-1-101	Definitions	
Part 2	Information and Assistance to Counties	
17E-1-201	Information and technical assistance from the state	17-27a-402
Part 3	Exemptions and Special Circumstances	
17E-1-301	Exemption from state licensure by Division of Real Estate	17-50-106
17E-1-302	Restriction on state development, policy of state agencies	New, cross reference to Title 17, Chapter 81
Chapter 2	Counties and State Executive Officers	
Part 1	General Provisions	
17E-2-101	Definitions	17-55-101
Part 2	Governor and Governor's Programs	
17E-2-201	Criminal Justice Coordinating Councils – Creation – Strategic plan – Reporting requirements	17-55-201
17E-2-202	Commission on Criminal and Juvenile Justice report on county jails	17-22-32 XRef
Part 3	Office of the Lieutenant Governor	
17E-2-301	County boundaries maintained by lieutenant governor	17-50-104(2)
17E-2-302	Process to consolidate counties	
Part 4	State Auditor	
17E-2-401	State auditor and uniform fiscal procedures for counties	17-36-4(1)
17E-2-402	Analysis and evaluation of accounting practices and systems	17-36-41
17E-2-403	Annual financial statement	17-36-37(4)-(6)
17E-2-404	State auditor review of internal control structure	17-36-45(2)
17E-2-405	Local substance abuse authorities required to be registered with the Lt. Gov – Enforcement by the state auditor	Xref to 17-43-205/17-77-205
17E-2-406	State auditor review of TRT reports	17-31-5.5(2)(b)
Chapter 3	Counties and the Legislature	
17E-3-101	Reserved	
Chapter 4	Counties and the State Tax Commission and Division of Finance	
Part 1	General Provisions	
17E-4-101	Definitions	17-56-101



Part 2	Species Protection Funding Act	
17E-4-201	Payment Obligations	17-56-201
17E-4-202	Deposit into Species Protection Account	17-56-202
Chapter 5	Counties and Agriculture	
17E-5-101	Reserved	
Chapter 6	Counties and the Departments of Corrections and Public Safety	
Part 1	General Provisions	
17E-6-101	Definitions	Reserved
Part 2	Department of Public Safety	
17E-6-201	Suicide Deterrence Grant Program -- Rulemaking	17-22-34
Part 3	Department of Corrections	
17E-6-301	Correctional facility telephone service contracts	17-18a-506
Part 4	Constables	
17E-6-401	Reserved	
Chapter 7	Counties and Other Executive Branch Entities	
Part 1	Department of Environmental Quality	
17E-7-101	County solid waste management plans	17-15-23
Part 2	Department of Health and Human Services	
17E-7-201	Licensing of residences for persons with a disability	17-27a-519
Part 3	Department of Veterans and Military Affairs	
17E-7-301		17-27a-533(4) and (5)
Part 4	Department of Natural Resources	
17E-7-401	Wildland urban interface evaluation and fees	17-16-22

Title 10, Chapter 7, Miscellaneous Powers and Duties of Municipalities

New Section	Title	Old Section(s)
10-7-87	Cities to appoint or contract with constables in the same manner as if the municipality were a county	New, cross reference to Chapter 78, Part 6, Constables
10-7-88	Municipalities to approve, protect certain protection areas	New, cross reference to Chapter 81, Agriculture, Industrial, and Critical Infrastructure Materials Act