

10-3-928 Attorney duties -- Deputy public prosecutor.

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 district attorney, except that a city attorney's authority to grant immunity shall be limited to:
 - (a) granting transactional immunity for violations of city ordinances; and
 - (b) granting transactional immunity under state law for infractions and misdemeanors occurring within the boundaries of the municipality;
- (4) shall represent the interests of the state or the municipality in the appeal of any matter prosecuted in any trial court by the city attorney;
- (5) may cooperate with the Office of the Attorney General during investigations, including those described in Subsection 67-5-18(3)(f); and
- (6) may designate a city attorney from another municipality or a public prosecutor to prosecute a matter, in the court having jurisdiction over the matter, if the city attorney has a conflict of interest regarding the matter being prosecuted.

Amended by Chapter 75, 2011 General Session