

17-16-3 Consolidation of offices.

- (1) A county legislative body may, unless prohibited by Subsection (2), pass an ordinance that:
 - (a) consolidates county offices and establishes the duties of those consolidated offices;
 - (b) separates any previously consolidated offices and reconsolidates them; or
 - (c) separates any previously consolidated offices without reconsolidating them.
- (2) A county legislative body may not:
 - (a) consolidate the offices of county commissioner, county council member, or county treasurer with the office of county auditor;
 - (b) consolidate the office of county executive with the office of county auditor, unless a referendum approving that consolidation passes; or
 - (c) consolidate the offices of county commissioner, county council member, county executive, county assessor, or county auditor with the office of county treasurer.
- (3) Each county legislative body shall ensure that any ordinance consolidating or separating county offices:
 - (a) is enacted before the February 1 of the year in which county officers are elected; and
 - (b) takes effect on the first Monday in January after the year in which county officers are elected.
- (4)
 - (a) Each county legislative body shall:
 - (i) enact an ordinance by February 1, 2010, separating any county offices that are prohibited from consolidation by this section; and
 - (ii) publish, by February 15, 2010, a notice once in a newspaper of general circulation in the county identifying the county offices that will be filled in the November 2010 election.
 - (b)
 - (i) If a county legislative body has, by February 1, 2006, enacted an ordinance, in compliance with this Subsection (4) then in effect, separating county offices that are prohibited from consolidation by this section, the county legislative body may repeal that ordinance.
 - (ii) If a county legislative body has published notice in a newspaper identifying the county offices that will be filled in the November 2006 election, and that notice, because of a repeal of an ordinance under Subsection (4)(b)(i), is incorrect, the county legislative body shall publish notice once in a newspaper of general circulation in the county indicating that the previous notice was incorrect and correctly identifying the county offices that will be filled in the November 2006 election.

Amended by Chapter 3, 2006 General Session