

Part 3 Qualifications and Term

17-18a-301 County officers.

- (1) The county attorney is an elected officer as described in Section 17-53-101.
- (2)
 - (a) If the boundaries of a prosecution district are located entirely within one county, the district attorney of the prosecution district is an elected officer of that county.
 - (b) If the boundaries of a prosecution district include more than one county, the interlocal agreement that creates that prosecution district in accordance with Section 17-18a-602 may designate the district attorney as an elected officer in one or more of the counties in which the prosecution district is located.
- (3) The district attorney:
 - (a) is a full-time employee of the prosecution district; and
 - (b) may not engage in the private practice of law.
- (4) A county attorney may:
 - (a) serve as a part-time employee; and
 - (b) engage in the private practice of law, subject to Section 17-18a-605 and the Rules of Professional Conduct.

Enacted by Chapter 237, 2013 General Session

17-18a-302 Qualifications.

- (1) A person filing a declaration of candidacy for the office of county or district attorney shall be:
 - (a) a United States citizen;
 - (b) an attorney licensed to practice law in the state;
 - (c) an active member of the Utah State Bar in good standing;
 - (d) except as provided in Subsection (2), a registered voter in the county or prosecution district in which the attorney is elected to office; and
 - (e) except as provided in Subsection (2), as of the date of election, a resident for at least one year of the county or prosecution district in which the person seeks office.
- (2) A person appointed to the office of county or district attorney in accordance with Section 20A-1-509.2 shall be:
 - (a) a United States citizen;
 - (b) an attorney licensed to practice law in the state; and
 - (c) an active member of the Utah State Bar in good standing.

Enacted by Chapter 237, 2013 General Session