

1                                   **COUNTY STATUTES RECODIFICATION**

2   2000 GENERAL SESSION

3   STATE OF UTAH

4   **Sponsor: David L. Gladwell**

5 AN ACT RELATING TO COUNTIES; RENUMBERING AND AMENDING PROVISIONS  
6 RELATING TO COUNTY BOUNDARIES AND POWERS, THE POWERS AND DUTIES OF  
7 COUNTY OFFICERS, AND OTHER MATTERS; REPEALING VARIOUS COUNTY  
8 PROVISIONS; PROVIDING FOR LEGISLATIVE AND EXECUTIVE POWERS, DUTIES,  
9 AND FUNCTIONS OF COUNTY OFFICERS; PROVIDING FOR A COUNTY RESOURCE  
10 DEVELOPMENT COMMITTEE; PROVIDING FOR AN EXPANDED COUNTY  
11 COMMISSION FORM OF COUNTY GOVERNMENT; MAKING TECHNICAL CHANGES;  
12 AND PROVIDING A COORDINATION CLAUSE.

13 This act affects sections of Utah Code Annotated 1953 as follows:

14 ENACTS:

15           **17-50-101**, Utah Code Annotated 1953

16           **17-50-201**, Utah Code Annotated 1953

17           **17-50-204**, Utah Code Annotated 1953

18           **17-50-401**, Utah Code Annotated 1953

19           **17-52-102**, Utah Code Annotated 1953

20           **17-52-207**, Utah Code Annotated 1953

21           **17-52-502**, Utah Code Annotated 1953

22           **17-53-102**, Utah Code Annotated 1953

23           **17-53-103**, Utah Code Annotated 1953

24           **17-53-201**, Utah Code Annotated 1953

25           **17-53-212**, Utah Code Annotated 1953

26           **17-53-301**, Utah Code Annotated 1953

27           **17-53-302**, Utah Code Annotated 1953

- 28           **17-53-303**, Utah Code Annotated 1953
- 29           **17-53-304**, Utah Code Annotated 1953
- 30           **17-53-306**, Utah Code Annotated 1953
- 31           **17-53-312**, Utah Code Annotated 1953

32 RENUMBERS AND AMENDS:

33           **17-20-1.5**, (Renumbered from 17-5-208, as renumbered and amended by Chapters 146 and  
34 147, Laws of Utah 1994)

35           **17-20-1.7**, (Renumbered from 17-5-209, as renumbered and amended by Chapter 147,  
36 Laws of Utah 1994)

37           **17-36-46**, (Renumbered from 17-4-6, as enacted by Chapter 25, Laws of Utah 1959)

38           **17-36-47**, (Renumbered from 17-4-7, as last amended by Chapter 21, Laws of Utah 1963)

39           **17-36-48**, (Renumbered from 17-4-9, as last amended by Chapter 5, Laws of Utah 1991)

40           **17-36-49**, (Renumbered from 17-4-10, as enacted by Chapter 25, Laws of Utah 1959)

41           **17-36-50**, (Renumbered from 17-4-11, as enacted by Chapter 25, Laws of Utah 1959)

42           **17-36-51**, (Renumbered from 17-4-14, as last amended by Chapter 3, Laws of Utah 1988)

43           **17-36-52**, (Renumbered from 17-4-15, as enacted by Chapter 69, Laws of Utah 1977)

44           **17-36-53**, (Renumbered from 17-4-16, as last amended by Chapter 3, Laws of Utah 1988)

45           **17-36-54**, (Renumbered from 17-4-17, as enacted by Chapter 69, Laws of Utah 1977)

46           **17-50-102**, (Renumbered from 17-4-5, Utah Code Annotated 1953)

47           **17-50-202**, (Renumbered from 17-1-2, Utah Code Annotated 1953)

48           **17-50-203**, (Renumbered from 17-1-3, Utah Code Annotated 1953)

49           **17-50-205**, (Renumbered from 17-1-4, Utah Code Annotated 1953)

50           **17-50-206**, (Renumbered from 17-1-5, Utah Code Annotated 1953)

51           **17-50-207**, (Renumbered from 17-1-6, Utah Code Annotated 1953)

52           **17-50-208**, (Renumbered from 17-1-7, Utah Code Annotated 1953)

53           **17-50-209**, (Renumbered from 17-1-8, Utah Code Annotated 1953)

54           **17-50-210**, (Renumbered from 17-1-9, Utah Code Annotated 1953)

55           **17-50-211**, (Renumbered from 17-1-10, as last amended by Chapter 67, Laws of Utah  
56 1977)

57           **17-50-212**, (Renumbered from 17-1-11, Utah Code Annotated 1953)

58           **17-50-213**, (Renumbered from 17-1-12, Utah Code Annotated 1953)

- 59           **17-50-214**, (Renumbered from 17-1-13, Utah Code Annotated 1953)
- 60           **17-50-215**, (Renumbered from 17-1-14, Utah Code Annotated 1953)
- 61           **17-50-216**, (Renumbered from 17-1-15, Utah Code Annotated 1953)
- 62           **17-50-217**, (Renumbered from 17-1-16, Utah Code Annotated 1953)
- 63           **17-50-218**, (Renumbered from 17-1-17, Utah Code Annotated 1953)
- 64           **17-50-219**, (Renumbered from 17-1-18, Utah Code Annotated 1953)
- 65           **17-50-220**, (Renumbered from 17-1-19, Utah Code Annotated 1953)
- 66           **17-50-221**, (Renumbered from 17-1-20, Utah Code Annotated 1953)
- 67           **17-50-222**, (Renumbered from 17-1-21, Utah Code Annotated 1953)
- 68           **17-50-223**, (Renumbered from 17-1-22, Utah Code Annotated 1953)
- 69           **17-50-224**, (Renumbered from 17-1-23, Utah Code Annotated 1953)
- 70           **17-50-225**, (Renumbered from 17-1-24, Utah Code Annotated 1953)
- 71           **17-50-226**, (Renumbered from 17-1-25, Utah Code Annotated 1953)
- 72           **17-50-227**, (Renumbered from 17-1-26, Utah Code Annotated 1953)
- 73           **17-50-228**, (Renumbered from 17-1-27, as last amended by Chapter 67, Laws of Utah
- 74 1977)
- 75           **17-50-229**, (Renumbered from 17-1-28, Utah Code Annotated 1953)
- 76           **17-50-230**, (Renumbered from 17-1-29, Utah Code Annotated 1953)
- 77           **17-50-231**, (Renumbered from 17-1-30, Utah Code Annotated 1953)
- 78           **17-50-232**, (Renumbered from 17-1-31, Utah Code Annotated 1953)
- 79           **17-50-233**, (Renumbered from 17-1-32, Utah Code Annotated 1953)
- 80           **17-50-301**, (Renumbered from 17-4-2, as last amended by Chapter 227, Laws of Utah
- 81 1993)
- 82           **17-50-302**, (Renumbered from 17-4-3, Utah Code Annotated 1953)
- 83           **17-50-303**, (Renumbered from 17-4-4, as last amended by Chapter 227, Laws of Utah
- 84 1993)
- 85           **17-50-304**, (Renumbered from 17-5-219, as renumbered and amended by Chapter 147,
- 86 Laws of Utah 1994)
- 87           **17-50-305**, (Renumbered from 17-5-229, as renumbered and amended by Chapter 147,
- 88 Laws of Utah 1994)
- 89           **17-50-306**, (Renumbered from 17-5-232, as last amended by Chapter 365, Laws of Utah

90 1999)  
91 **17-50-307**, (Renumbered from 17-5-233, as renumbered and amended by Chapter 147,  
92 Laws of Utah 1994)  
93 **17-50-308**, (Renumbered from 17-5-234, as renumbered and amended by Chapter 147,  
94 Laws of Utah 1994)  
95 **17-50-309**, (Renumbered from 17-5-235, as renumbered and amended by Chapter 147,  
96 Laws of Utah 1994)  
97 **17-50-310**, (Renumbered from 17-5-236, as renumbered and amended by Chapter 147,  
98 Laws of Utah 1994)  
99 **17-50-311**, (Renumbered from 17-5-237, as last amended by Chapter 365, Laws of Utah  
100 1999)  
101 **17-50-312**, (Renumbered from 17-5-239, as last amended by Chapter 365, Laws of Utah  
102 1999)  
103 **17-50-313**, (Renumbered from 17-5-242, as renumbered and amended by Chapter 147,  
104 Laws of Utah 1994)  
105 **17-50-314**, (Renumbered from 17-5-243, as renumbered and amended by Chapter 147,  
106 Laws of Utah 1994)  
107 **17-50-315**, (Renumbered from 17-5-245, as renumbered and amended by Chapter 147,  
108 Laws of Utah 1994)  
109 **17-50-316**, (Renumbered from 17-5-256, as renumbered and amended by Chapter 147,  
110 Laws of Utah 1994)  
111 **17-50-317**, (Renumbered from 17-5-264, as renumbered and amended by Chapter 147,  
112 Laws of Utah 1994)  
113 **17-50-318**, (Renumbered from 17-5-265, as renumbered and amended by Chapters 12 and  
114 147, Laws of Utah 1994)  
115 **17-50-319**, (Renumbered from 17-5-271, as renumbered and amended by Chapter 147,  
116 Laws of Utah 1994)  
117 **17-50-320**, (Renumbered from 17-5-275, as renumbered and amended by Chapter 147,  
118 Laws of Utah 1994)  
119 **17-50-321**, (Renumbered from 17-15-17, as last amended by Chapter 38, Laws of Utah  
120 1993)

- 121           **17-50-322**, (Renumbered from 17-15-21, as enacted by Chapter 36, Laws of Utah 1977)
- 122           **17-50-402**, (Renumbered from 17-15-10, as last amended by Chapter 227, Laws of Utah
- 123 1993)
- 124           **17-50-403**, (Renumbered from 17-15-11, Utah Code Annotated 1953)
- 125           **17-50-404**, (Renumbered from 17-15-12, Utah Code Annotated 1953)
- 126           **17-50-405**, (Renumbered from 17-15-13, as last amended by Chapter 227, Laws of Utah
- 127 1993)
- 128           **17-50-406**, (Renumbered from 17-15-14, as last amended by Chapter 146, Laws of Utah
- 129 1994)
- 130           **17-50-407**, (Renumbered from 17-15-15, Utah Code Annotated 1953)
- 131           **17-52-101**, (Renumbered from 17-35a-102, as enacted by Chapter 369, Laws of Utah
- 132 1998)
- 133           **17-52-201**, (Renumbered from 17-35a-201, as enacted by Chapter 369, Laws of Utah
- 134 1998)
- 135           **17-52-202**, (Renumbered from 17-35a-202, as enacted by Chapter 369, Laws of Utah
- 136 1998)
- 137           **17-52-203**, (Renumbered from 17-35a-203, as last amended by Chapter 265, Laws of Utah
- 138 1999)
- 139           **17-52-204**, (Renumbered from 17-35a-203.5, as enacted by Chapter 265, Laws of Utah
- 140 1999)
- 141           **17-52-205**, (Renumbered from 17-35a-203.7, as enacted by Chapter 265, Laws of Utah
- 142 1999)
- 143           **17-52-206**, (Renumbered from 17-35a-204, as last amended by Chapter 265, Laws of Utah
- 144 1999)
- 145           **17-52-301**, (Renumbered from 17-35a-301, as enacted by Chapter 369, Laws of Utah
- 146 1998)
- 147           **17-52-302**, (Renumbered from 17-35a-302, as enacted by Chapter 369, Laws of Utah
- 148 1998)
- 149           **17-52-303**, (Renumbered from 17-35a-303, as enacted by Chapter 369, Laws of Utah
- 150 1998)
- 151           **17-52-401**, (Renumbered from 17-35a-401, as enacted by Chapter 369, Laws of Utah

152 1998)  
153 **17-52-402**, (Renumbered from 17-35a-402, as enacted by Chapter 369, Laws of Utah  
154 1998)  
155 **17-52-403**, (Renumbered from 17-35a-403, as enacted by Chapter 369, Laws of Utah  
156 1998)  
157 **17-52-404**, (Renumbered from 17-35a-404, as enacted by Chapter 369, Laws of Utah  
158 1998)  
159 **17-52-501**, (Renumbered from 17-5-101, as renumbered and amended by Chapter 147,  
160 Laws of Utah 1994)  
161 **17-52-503**, (Renumbered from 17-35a-501, as enacted by Chapter 369, Laws of Utah  
162 1998)  
163 **17-52-504**, (Renumbered from 17-35a-502, as last amended by Chapter 21, Laws of Utah  
164 1999)  
165 **17-52-505**, (Renumbered from 17-35a-503, as last amended by Chapter 21, Laws of Utah  
166 1999)  
167 **17-52-506**, (Renumbered from 17-35a-504, as enacted by Chapter 369, Laws of Utah  
168 1998)  
169 **17-53-101**, (Renumbered from 17-16-2, as last amended by Chapter 38, Laws of Utah  
170 1993)  
171 **17-53-104**, (Renumbered from 17-5-206, as last amended by Chapter 265, Laws of Utah  
172 1999)  
173 **17-53-105**, (Renumbered from 17-5-216, as last amended by Chapter 139, Laws of Utah  
174 1997)  
175 **17-53-202**, (Renumbered from 17-5-102, as renumbered and amended by Chapter 147,  
176 Laws of Utah 1994)  
177 **17-53-203**, (Renumbered from 17-5-201, as renumbered and amended by Chapters 146  
178 and 147, Laws of Utah 1994)  
179 **17-53-204**, (Renumbered from 17-5-202, as renumbered and amended by Chapters 146  
180 and 147, Laws of Utah 1994)  
181 **17-53-205**, (Renumbered from 17-5-203, as renumbered and amended by Chapter 147,  
182 Laws of Utah 1994)

183           **17-53-206**, (Renumbered from 17-5-204, as renumbered and amended by Chapter 147,  
184 Laws of Utah 1994)

185           **17-53-207**, (Renumbered from 17-5-205, as renumbered and amended by Chapters 146  
186 and 147, Laws of Utah 1994)

187           **17-53-208**, (Renumbered from 17-15-1, as last amended by Chapter 244, Laws of Utah  
188 1999)

189           **17-53-209**, (Renumbered from 17-5-210, as renumbered and amended by Chapter 147,  
190 Laws of Utah 1994)

191           **17-53-210**, (Renumbered from 17-5-211, as renumbered and amended by Chapter 147,  
192 Laws of Utah 1994)

193           **17-53-211**, (Renumbered from 17-5-213, as renumbered and amended by Chapter 147,  
194 Laws of Utah 1994)

195           **17-53-213**, (Renumbered from 17-5-215, as renumbered and amended by Chapter 147,  
196 Laws of Utah 1994)

197           **17-53-214**, (Renumbered from 17-5-217, as renumbered and amended by Chapter 147,  
198 Laws of Utah 1994)

199           **17-53-215**, (Renumbered from 17-5-220, as renumbered and amended by Chapter 147,  
200 Laws of Utah 1994)

201           **17-53-216**, (Renumbered from 17-5-221, as renumbered and amended by Chapter 147,  
202 Laws of Utah 1994)

203           **17-53-217**, (Renumbered from 17-5-222, as renumbered and amended by Chapter 147,  
204 Laws of Utah 1994)

205           **17-53-218**, (Renumbered from 17-5-228, as renumbered and amended by Chapter 147,  
206 Laws of Utah 1994)

207           **17-53-219**, (Renumbered from 17-5-246, as renumbered and amended by Chapter 147,  
208 Laws of Utah 1994)

209           **17-53-220**, (Renumbered from 17-5-247, as renumbered and amended by Chapter 147,  
210 Laws of Utah 1994)

211           **17-53-221**, (Renumbered from 17-5-248, as renumbered and amended by Chapter 147,  
212 Laws of Utah 1994)

213           **17-53-222**, (Renumbered from 17-5-255, as renumbered and amended by Chapter 147,

214 Laws of Utah 1994)  
215           **17-53-223**, (Renumbered from 17-5-258, as renumbered and amended by Chapter 147,  
216 Laws of Utah 1994)  
217           **17-53-224**, (Renumbered from 17-5-263, as renumbered and amended by Chapters 146  
218 and 147, Laws of Utah 1994)  
219           **17-53-225**, (Renumbered from 17-5-272, as renumbered and amended by Chapter 147,  
220 Laws of Utah 1994)  
221           **17-53-226**, (Renumbered from 17-5-273, as last amended by Chapter 123, Laws of Utah  
222 1997)  
223           **17-53-227**, (Renumbered from 17-15-2, as last amended by Chapter 146, Laws of Utah  
224 1994)  
225           **17-53-305**, (Renumbered from 17-5-218, as renumbered and amended by Chapter 147,  
226 Laws of Utah 1994)  
227           **17-53-307**, (Renumbered from 17-5-259, as renumbered and amended by Chapters 146  
228 and 147, Laws of Utah 1994)  
229           **17-53-308**, (Renumbered from 17-15-3, as last amended by Chapter 365, Laws of Utah  
230 1999)  
231           **17-53-309**, (Renumbered from 17-15-4, as last amended by Chapter 265, Laws of Utah  
232 1995)  
233           **17-53-310**, (Renumbered from 17-15-5, as last amended by Chapter 265, Laws of Utah  
234 1995)  
235           **17-53-311**, (Renumbered from 17-5-274, as last amended by Chapter 13, Laws of Utah  
236 1998)  
237           **21-2-8**, (Renumbered from 17-5-214, as last amended by Chapter 375, Laws of Utah 1997)  
238 **REPEALS:**  
239           **17-1-1**, Utah Code Annotated 1953  
240           **17-1-33**, as last amended by Chapter 227, Laws of Utah 1993  
241           **17-4-1**, Utah Code Annotated 1953  
242           **17-4-12**, as enacted by Chapter 69, Laws of Utah 1977  
243           **17-4-13**, as enacted by Chapter 69, Laws of Utah 1977  
244           **17-5-103**, as renumbered and amended by Chapter 147, Laws of Utah 1994



245           **17-5-104**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
246           **17-5-207**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
247           **17-5-223**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
248           **17-5-224**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
249           **17-5-225**, as last amended by Chapter 182, Laws of Utah 1998  
250           **17-5-226**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
251           **17-5-227**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
252           **17-5-230**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
253           **17-5-231**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
254           **17-5-238**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
255           **17-5-240**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
256           **17-5-241**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
257           **17-5-244**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
258           **17-5-249**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
259           **17-5-250**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
260           **17-5-251**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
261           **17-5-252**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
262           **17-5-253**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
263           **17-5-254**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
264           **17-5-257**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
265           **17-5-260**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
266           **17-5-261**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
267           **17-5-262**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
268           **17-5-266**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
269           **17-5-267**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
270           **17-5-268**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
271           **17-5-269**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
272           **17-5-270**, as renumbered and amended by Chapter 147, Laws of Utah 1994  
273           **17-35a-101**, as enacted by Chapter 369, Laws of Utah 1998  
274           **17-35a-103**, as enacted by Chapter 369, Laws of Utah 1998

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

276 Section 1. Section **17-20-1.5**, which is renumbered from Section 17-5-208 is renumbered  
277 and amended to read:

278 ~~[17-5-208].~~ **17-20-1.5. County clerk is clerk of county legislative body.**

279 The county clerk is the clerk of the county legislative body. ~~[The records and minutes of  
280 the county legislative body must be signed by the chairman and the clerk.]~~

281 Section 2. Section **17-20-1.7**, which is renumbered from Section 17-5-209 is renumbered  
282 and amended to read:

283 ~~[17-5-209].~~ **17-20-1.7. Clerk's duties.**

284 The clerk ~~[of the board must]~~ shall:

285 (1) ~~[Record]~~ record all ~~[its]~~ proceedings~~[-]~~ of the county legislative body;

286 (2) ~~[Make]~~ make full entries of all ~~[its]~~ resolutions and decisions of the county legislative  
287 body on all questions concerning the raising of money for, and the allowance of accounts against,  
288 the county~~[-]~~;

289 (3) ~~[Record]~~ record the vote of each member on any question upon which there is a  
290 division~~[-]~~;

291 (4) ~~[Immediately]~~ immediately after the adjournment of each meeting of the ~~[board]~~ county  
292 legislative body, prepare and certify duplicate lists of all claims passed upon ~~[by the board]~~,  
293 showing the amount and date of each claim or order and the date of the allowance or rejection  
294 ~~[thereof]~~ of the claim, which lists shall be countersigned by the ~~[chairman]~~ chair of the ~~[board]~~  
295 county legislative body; ~~[and thereafter the clerk shall]~~

296 (5) deliver to and leave with the county auditor one of ~~[said]~~ the lists referred to in  
297 Subsection (4) and ~~[shall]~~ deliver to and leave with the county treasurer the other list~~[-]~~;

298 ~~[(5) File]~~ (6) file and preserve the reports of the county officers to the ~~[board.]~~ county  
299 legislative body;

300 ~~[(6) Preserve]~~ (7) preserve and file all accounts acted upon by the ~~[board]~~ county  
301 legislative body, except such as are necessarily kept by the auditor~~[-]~~;

302 ~~[(7) Preserve]~~ (8) preserve and file all petitions and applications for franchises, and record  
303 the action of the ~~[board thereon.]~~ county legislative body on them;

304 ~~[(8) Authenticate]~~ (9) authenticate with ~~[his]~~ the clerk's signature and the seal of the  
305 county ~~[clerk]~~ the proceedings of the ~~[board whenever]~~ county legislative body if the ~~[same shall~~  
306 be] proceedings are ordered published~~[-]~~;

307           ~~[(9) Authenticate]~~ (10) authenticate with ~~[his]~~ the clerk's signature and the seal of the  
308 county ~~[clerk]~~ all ordinances or laws passed by the ~~[board]~~ county legislative body, and record ~~[the~~  
309 ~~same]~~ them at length in the ordinance book~~[-]~~;

310           ~~[(10) Record]~~ (11) record all orders levying taxes~~[-]~~;

311           (12) keep all county books, records, and accounts at the clerk's office and keep them open  
312 at all times during regular business hours for public inspection; and

313           ~~[(11) Perform]~~ (13) perform all other duties required by law or by any rule or order of the  
314 ~~[board]~~ county legislative body.

315           Section 3. Section **17-36-46**, which is renumbered from Section 17-4-6 is renumbered and  
316 amended to read:

317           ~~[17-4-6].~~       **17-36-46. Reserve fund for capital improvements -- Creation -- Purpose**  
318 **-- Limitation.**

319           (1) The [governing] legislative body of any county may establish and maintain, by  
320 ordinance, a cumulative reserve fund to be accumulated by levy for the purpose of financing the  
321 purchase of real property and the cost of planning, constructing or rehabilitating public buildings  
322 or other public works and capital improvements.

323           (2) (a) Before [such] a reserve fund under Subsection (1) may be established, the county  
324 legislative body shall designate by ordinance the specific purpose for which the fund is established  
325 [shall be determined by the governing body of such county by ordinance and].

326           (b) Except as provided in Section 17-36-50, all funds in a reserve fund under Subsection  
327 (1) shall be expended for the designated purposes[,- except, as provided in Section 17-4-11].

328           Section 4. Section **17-36-47**, which is renumbered from Section 17-4-7 is renumbered and  
329 amended to read:

330           ~~[17-4-7].~~       **17-36-47. Reserve fund for capital improvements -- Estimate of amount**  
331 **required -- Tax levy -- Accumulation from year to year -- Restriction on use.**

332           (1) The [governing] legislative body of [each such] a county that has established a reserve  
333 fund under Section 17-36-46 may:

334           (a) include in the annual budget or estimate of amounts required to meet the public  
335 expenses of such subdivision for the ensuing year such sum as it [may deem] considers necessary  
336 for the uses and purposes of the fund[- Such sum may be included]; and

337           (b) include those amounts in the annual tax levy of the political subdivision.

338           (2) The moneys in [~~said~~] the fund shall be allowed to accumulate from year to year until  
339 the governing body of the political subdivision [~~shall determine~~] determines to spend any money  
340 in the fund for the purpose specified. [~~Any moneys~~]

341           (3) Money in [~~said~~] the fund at the end of [~~the~~] a fiscal year shall remain intact as surplus  
342 available for future use, and [~~shall~~] may not be transferred to any other fund or used for any other  
343 purpose.

344           (4) This section does not apply if the reserve fund equals or exceeds .6% of the taxable  
345 value of the county.

346           Section 5. Section **17-36-48**, which is renumbered from Section 17-4-9 is renumbered and  
347 amended to read:

348           [~~17-4-9~~].       **17-36-48. Reserve fund for capital improvements -- Transfer to fund**  
349 **of unencumbered surplus funds of political subdivisions -- When tax levy not required.**

350           At any time after the creation of [~~such~~] a reserve fund under Section 17-36-46, the  
351 [~~governing~~] county legislative body may transfer to the fund any unencumbered surplus county  
352 funds remaining [~~on hand in the political subdivisions~~] at the end of [~~any~~] a fiscal year. [~~In all~~  
353 cases when the reserve is equivalent to .6% of the taxable value of the county, the provisions of  
354 Section 17-4-7 do not apply.]

355           Section 6. Section **17-36-49**, which is renumbered from Section 17-4-10 is renumbered  
356 and amended to read:

357           [~~17-4-10~~].       **17-36-49. Reserve fund for capital improvements -- Investment --**  
358 **Interest and income from investments part of fund.**

359           (1) All moneys belonging to [~~the~~] a reserve fund created [~~by this act~~] under Section  
360 17-36-46 shall be invested in such securities as are legal for other funds of the political  
361 subdivisions.

362           (2) The interest and income from the investments shall be a part of the fund.

363           Section 7. Section **17-36-50**, which is renumbered from Section 17-4-11 is renumbered  
364 and amended to read:

365           [~~17-4-11~~].       **17-36-50. Reserve fund for capital improvements -- Use for projects**  
366 **other than originally specified -- Special election.**

367           (1) The [~~governing~~] legislative body of any county may submit the proposition of using  
368 [~~such reserve~~] funds in a reserve fund established under Section 17-36-46 for projects other than

369 originally specified to the electors of such political subdivisions or taxing bodies at a special  
370 election, provided, such projects are for the purposes set forth in Section [~~17-4-6~~] 17-36-46. [~~When~~  
371 such]

372 (2) If a proposition under Subsection (1) is proposed, the [~~governing~~] county legislative  
373 body [~~of such county~~] shall fix a time and place for a special election on the proposition [~~which~~  
374 shall], to be held as provided by law.

375 Section 8. Section **17-36-51**, which is renumbered from Section 17-4-14 is renumbered  
376 and amended to read:

377 [~~17-4-14~~]. **17-36-51. Establishment of tax stability and trust funds -- Increase in**  
378 **tax levy.**

379 (1) (a) Notwithstanding anything to the contrary contained in [~~this chapter or elsewhere~~  
380 ~~in the statutes of this state~~] statute, the [~~governing~~] legislative body of any county may by  
381 ordinance establish and maintain a tax stability and trust fund [~~by adopting an ordinance to that~~  
382 ~~effect~~], for the purpose of preserving funds during years with favorable tax revenues for use during  
383 years with less favorable tax revenues. [~~The~~]

384 (b) Each fund under Subsection (1)(a) shall be subject to all of the limitations and  
385 restrictions imposed by this section and Sections [~~17-4-12 through 17-4-16 and the~~] 17-36-52 and  
386 17-36-53.

387 (c) The principal of the fund shall [~~comprise~~] consist of all sums transferred to it in  
388 accordance with Subsection (2) and interest or other income retained in the fund under Subsection  
389 [~~17-4-15~~] 17-36-52(2).

390 (2) After [~~the establishment of~~] establishing a tax stability and trust fund [~~by a county~~] as  
391 provided in Subsection (1), the [~~governing~~] legislative body, in establishing the levy for the  
392 property tax levied by the county under Section 59-2-908, may establish the levy at a level not to  
393 exceed [a] .0001 per dollar of taxable value of taxable property increase per year [~~which~~] that will  
394 permit the county to receive during that fiscal year sums in excess of what may be required to  
395 provide for the purposes of the county. Any excess sums so received are to be transferred from  
396 the General Fund of the county into the tax stability and trust fund.

397 Section 9. Section **17-36-52**, which is renumbered from Section 17-4-15 is renumbered  
398 and amended to read:

399 [~~17-4-15~~]. **17-36-52. Deposit or investment of funds -- Use of interest or other**

400 **income.**

401 (1) All amounts in the tax stability and trust fund [of any] established by a county under  
402 Section 17-36-51 may be deposited or invested as provided in Section 51-7-11. These amounts  
403 may also be transferred by the county treasurer to the state treasurer under Section 51-7-5 for [his]  
404 the treasurer's management and control under [the] Title 51, Chapter 7, State Money Management  
405 Act [of 1974].

406 (2) The interest or other income realized from amounts in the tax stability and trust fund  
407 shall be returned to the general fund of the county during the fiscal year in which the income or  
408 interest is paid to the extent the interest or income is required by the county to provide for its  
409 purposes during that fiscal year. Any amounts so returned may be used for all purposes as other  
410 amounts in such general fund. Any interest or income not so returned to the county's general fund  
411 shall be added to the principal of that county's tax stability and trust fund.

412 Section 10. Section **17-36-53**, which is renumbered from Section 17-4-16 is renumbered  
413 and amended to read:

414 ~~[17-4-16].~~ **17-36-53. Amount in trust fund limited -- Disposition of excess.**

415 (1) The total amount in [the] a county's tax stability and trust fund [of any county]  
416 established under Section 17-36-51 shall be limited to the percentage of the total taxable value of  
417 property in that county not to exceed the limits provided in the following schedule:

Total Taxable Value	Fund Limits	but not to
	Percentage of	exceed:
	Taxable Value	
421 Less than \$500,000,000	1.6%	\$5,000,000
422 From 500,000,000		
423 to 1,500,000,000	1.0%	7,500,000
424 Over 1,500,000,000	.5%	15,000,000

425 (2) If any excess occurs in the tax stability and trust fund over the percentage or maximum  
426 dollar amounts specified in Subsection (1), this excess shall be transferred to the general fund of  
427 the county and may be used for all purposes as other amounts in the general fund are used.

428 (3) If any excess in the fund exists because of a decrease in total taxable value, that excess  
429 may remain in the fund, but if the excess amount in the fund is decreased below the limitations of  
430 the fund for any reason, the fund limitations established under Subsection (1) apply.

431 Section 11. Section **17-36-54**, which is renumbered from Section 17-4-17 is renumbered  
432 and amended to read:

433 ~~[17-4-17]~~. **17-36-54. Use of principal of fund -- Determination of necessity --**  
434 **Election.**

435 If the [governing] legislative body of [any] a county [~~shall determine~~] that has established  
436 a tax stability and trust fund under Section 17-36-51 determines that it is necessary for purposes  
437 of that county to use any portion of the principal of the [~~tax stability and trust~~] fund [~~that the~~  
438 ~~county had established~~], the [governing] county legislative body shall submit this proposition to  
439 the electorate of that county in a special election called and held in the manner provided for in [the]  
440 Title 11, Chapter 14, Utah Municipal Bond Act [~~(Title 11, Chapter 14)~~], for the holding of bond  
441 elections. If the proposition is approved at this special election by a majority of the qualified  
442 electors of the county voting at the election, then that portion of the principal of the fund covered  
443 by the proposition may be transferred to the county's general fund for use for purposes of that  
444 county.

445 Section 12. Section **17-50-101** is enacted to read:

## 446 **CHAPTER 50. GENERAL PROVISIONS**

### 447 **Part 1. General Provisions**

448 **17-50-101. Definitions.**

449 As used in this title:

450 (1) "County" means a unit of local government that is a body corporate and politic and a  
451 legal subdivision of the state, with geographic boundaries as provided in Part 2, Boundaries, and  
452 powers as provided in Part 3, County Powers.

453 (2) "Executive," when used to describe the powers, duties, or functions of a person or body  
454 elected or appointed as the county executive, manager, or administrative officer, refers to:

455 (a) the power and duty to carry laws and ordinances into effect and secure their due  
456 observance; and

457 (b) those powers, duties, and functions that have, through long usage and accepted practice  
458 and custom at the federal and state level, come to be regarded as belonging to the executive branch  
459 of government.

460 (3) "Legislative," when used to describe the powers, duties, or functions of a county  
461 commission or council, refers to:

462 (a) the power and duty to enact ordinances; and  
463 (b) those powers, duties, and functions that have, through long usage and accepted practice  
464 and custom at the federal and state level, come to be regarded as belonging to the legislative branch  
465 of government.

466 Section 13. Section **17-50-102**, which is renumbered from Section 17-4-5 is renumbered  
467 and amended to read:

468 **[17-4-5]. 17-50-102. Unlawful liabilities void.**

469 ~~[All contracts, authorizations, allowances, payments]~~ Each contract, authorization,  
470 allowance, payment, and purported [liabilities] liability to pay made or attempted to be made in  
471 violation of this title shall be absolutely void and shall never be the foundation or basis of a claim  
472 against the county. ~~[And all officers of a county are charged with notice of the condition of its~~  
473 ~~treasury and the extent of the claims against the same.]~~

474 Section 14. Section **17-50-201** is enacted to read:

475 **Part 2. Boundaries**

476 **17-50-201. Definitions.**

477 As used in this part:

478 (1) "Range" refers to the Salt Lake meridian and base line of the United States survey,  
479 unless the context plainly indicates otherwise.

480 (2) "Section" refers to the Salt Lake meridian and base line of the United States survey,  
481 unless the context plainly indicates otherwise.

482 (3) "Township" refers to the Salt Lake meridian and base line of the United States survey.

483 Section 15. Section **17-50-202**, which is renumbered from Section 17-1-2 is renumbered  
484 and amended to read:

485 **[17-1-2]. 17-50-202. True courses employed.**

486 In the description of courses in this part, the words "north," "south," "east" and "west" shall  
487 be ~~[construed]~~ considered to mean true courses.

488 Section 16. Section **17-50-203**, which is renumbered from Section 17-1-3 is renumbered  
489 and amended to read:

490 **[17-1-3]. 17-50-203. Existing counties.**

491 The ~~[several]~~ counties ~~[as they are in this chapter named and]~~ whose geographic boundaries  
492 are described in this part are the counties of the state until ~~[otherwise]~~ changed by law.



493 Section 17. Section **17-50-204** is enacted to read:

494 **17-50-204. Disputed boundaries.**

495 (1) If a dispute or uncertainty arises as to the true location of a county boundary described  
496 in this part, the surveyors of each county whose boundary is the subject of the dispute or  
497 uncertainty may determine the true location.

498 (2) (a) If the county surveyors fail to agree on or otherwise fail to establish the true  
499 location of the county boundary, the county executive of either or both of the affected counties  
500 shall engage the services of the state engineer.

501 (b) After being engaged under Subsection (2)(a), the state engineer shall notify the  
502 surveyor of each county whose boundary is the subject of the dispute or uncertainty of the  
503 procedure the state engineer will use to determine the true location of the boundary.

504 (c) With the assistance of each surveyor who chooses to participate, the state engineer shall  
505 determine permanently the true location of the boundary by marking surveys and erecting suitable  
506 monuments to designate the boundary.

507 (d) Each boundary established under this Subsection (2) shall be considered permanent  
508 until superseded by legislative enactment.

509 (3) Nothing in this section may be construed to give the county surveyors or state engineer  
510 any authority other than to erect suitable monuments to designate county boundaries as they are  
511 described in this part.

512 Section 18. Section **17-50-205**, which is renumbered from Section 17-1-4 is renumbered  
513 and amended to read:

514 **[17-1-4]. 17-50-205. Beaver County -- Description.**

515 The geographic boundaries of Beaver County are described as follows: Beginning at a point  
516 on the summit of the range separating the Beaver and Pavant Valleys from Sevier Valley east of  
517 a point two miles south of the south side of Fort Wilden on Cove Creek, thence west to the state  
518 boundary; thence south to the line separating townships 30 and 31 south; thence east to the summit  
519 of said range; thence northerly along said summit to the point of beginning.

520 Section 19. Section **17-50-206**, which is renumbered from Section 17-1-5 is renumbered  
521 and amended to read:

522 **[17-1-5]. 17-50-206. Box Elder County -- Description.**

523 The geographic boundaries of Box Elder County are described as follows: Beginning at the

524 intersection of the northern boundary of the state and the summit of the range next east of Malad  
525 Valley, thence west to the northwest corner of the state; thence south to the forty-first parallel of  
526 north latitude; thence east to the western shore of Great Salt Lake; thence northeasterly along, and  
527 to the middle point of, a straight line drawn between said point on the lake and a point on the east  
528 shore thereof due west of the middle of the channel of the Weber River at a point north of the  
529 northwest corner of Kingston's Fort; thence northeasterly along a straight line drawn from said  
530 middle point of said line to a point on the west line of range 3 west, due west from the Hot Springs  
531 situated at the point of the mountain north of Ogden; thence east to said springs; thence  
532 northeasterly along the summit of the spur range terminating at said springs to, and thence along,  
533 the summit of the Wasatch Mountains, passing around the headwaters of Box Elder and Willow  
534 creeks, and crossing the Bear River at the middle point of its lower canyon, to, and thence  
535 northerly along, the summit of the range of mountains next east of Malad Valley to the point of  
536 beginning.

537 Section 20. Section **17-50-207**, which is renumbered from Section 17-1-6 is renumbered  
538 and amended to read:

539 **[17-1-6]. 17-50-207. Cache County -- Description.**

540 The geographic boundaries of Cache County are described as follows: Beginning at the  
541 intersection of the northern boundary of the state and the summit of the watershed separating the  
542 Cache and Bear Lake Valleys, thence west along the said boundary to the summit of the range next  
543 east of Malad Valley; thence southerly along the summit of the last mentioned range crossing the  
544 Bear River at the middle point of its lower canyon to, and thence along, the summit of the Wasatch  
545 Range, passing round the headwaters of Box Elder and Willow Creeks; and thence easterly along  
546 the summit of said range to its intersection with, and thence northerly along, the summit of the  
547 watershed between the Cache and Bear Lake Valleys to the point of beginning.

548 Section 21. Section **17-50-208**, which is renumbered from Section 17-1-7 is renumbered  
549 and amended to read:

550 **[17-1-7]. 17-50-208. Carbon County -- Description.**

551 The geographic boundaries of Carbon County are described as follows: Beginning at the  
552 middle of the channel of the Green River where intersected by the line dividing townships 11 and  
553 12 south, thence west along said line to the section line running north and south through the middle  
554 of range 6 east; thence south to the summit of the watershed next east of Huntington Creek; thence

555 southeasterly along said summit to the third standard parallel south; thence east to the middle of  
556 the main channel of the Green River; thence northerly up said channel to the point of beginning.

557 Section 22. Section **17-50-209**, which is renumbered from Section 17-1-8 is renumbered  
558 and amended to read:

559 **[17-1-8]. 17-50-209. Daggett County -- Description.**

560 The geographic boundaries of Daggett County are described as follows: Beginning at the  
561 point of intersection of the boundaries of Utah, Wyoming, and Colorado, thence west along the  
562 Utah state line to a point which would intersect a line running south through the center of section  
563 fifteen (15), township 3 north, range 17 east of the Salt Lake base and meridian; thence south  
564 through the center of sections fifteen (15), twenty-two (22), twenty-seven (27) and thirty-four (34),  
565 of township 3 north of range 17 east; thence south through the center of sections three (3), ten (10),  
566 fifteen (15), twenty-two (22), twenty-seven (27), and thirty-four (34), township 2 north of range  
567 17 east of the Salt Lake base and meridian; thence south through the center of sections three (3),  
568 ten (10), fifteen (15), and twenty-two (22), of township 1 north of range 17 east of Salt Lake base  
569 and meridian to the intersection of the easterly and westerly line of the summit of the Uintah  
570 Mountains; thence easterly along the summit of said Uintah Mountains and following the water  
571 parting line dividing the watershed of streams flowing generally northerly from those flowing  
572 generally southerly to the monument at the top of Mt. Lena; thence easterly to the west quarter (W  
573 1/4) corner section twenty-five (25), township one (1) north, range twenty-two (22) east; thence  
574 north along the west boundary line of sections twenty-five (25), twenty-four (24), thirteen (13),  
575 twelve (12) and one (1), township one (1) north, range twenty-two (22) east to the northwest corner  
576 of section one (1), township one (1) north, range twenty-two (22) east; thence east along the south  
577 boundary lines of township 2 north, ranges twenty-two (22), twenty-three (23) and twenty-four (24)  
578 east to the northwest corner of section three (3), township one (1) north of range twenty-four (24)  
579 east; thence south along the west boundary lines of sections three (3), ten (10), fifteen (15),  
580 twenty-two (22) and twenty-seven (27) all in township one (1) north of range twenty-four (24) east;  
581 thence east along the south boundary lines of sections twenty-seven (27), and twenty-six (26) to  
582 the northwest corner of section thirty-six (36), all in township one (1) north of range twenty-four  
583 (24) east; thence south along the west line of said section thirty-six (36), to the southwest corner  
584 of said section; thence east to the northwest corner of township one (1) south of range twenty-five  
585 (25) east; thence south along the west boundary line of township one (1) south of range twenty-five

586 (25) east to the southwest corner of said township; thence east along the south boundary lines of  
587 sections thirty-one (31) and thirty-two (32), township one (1) south of range twenty-five (25) east  
588 to the northwest corner of section four (4), township two (2) south of range twenty-five (25) east;  
589 thence south along the west boundary lines of sections four (4) and nine (9), to the west quarter  
590 corner of section nine (9), township two (2) south of range twenty-five (25) east; thence east along  
591 the center lines of sections nine (9), ten (10), eleven (11), and twelve (12) township two (2) south  
592 of range twenty-five (25) east to the Colorado state line; thence north along the Colorado state line  
593 to the point of beginning.

594 Section 23. Section **17-50-210**, which is renumbered from Section 17-1-9 is renumbered  
595 and amended to read:

596 **[17-1-9]. 17-50-210. Davis County -- Description.**

597 The geographic boundaries of Davis County are described as follows: Beginning at a point  
598 in the middle of the channel of the Weber River where crossed by the summit line of the Wasatch  
599 Range, thence westerly down the middle of said channel to a point north of the northwest corner  
600 of Kingston's Fort; thence west to the east shore of Great Salt Lake; thence southwesterly along  
601 and to the middle point of a straight line running between said point on the east shore and a point  
602 on the west shore of said lake at latitude 41 degrees north; thence southeasterly along a straight line  
603 running between Black Rock on the southern shore of said lake and said middle point of said line  
604 to the base line of the United States survey; thence northeasterly and equidistant between Antelope  
605 Island and the south shore of said lake to a point west of the mouth of the Jordan River on the west  
606 line of range 1 west; thence east to the mouth of the Jordan River; thence southeasterly up the  
607 middle of the channel of the Jordan River to a point west of a point 136 rods north of hot spring  
608 in the northern part of Salt Lake City; thence east to the summit of the spur range terminating at  
609 said hot spring; thence northeasterly along said last mentioned summit to its intersection with, and  
610 thence northerly along, the summit of the Wasatch Range to the point of beginning.

611 Section 24. Section **17-50-211**, which is renumbered from Section 17-1-10 is renumbered  
612 and amended to read:

613 **[17-1-10]. 17-50-211. Duchesne County -- Description.**

614 The geographic boundaries of Duchesne County are described as follows: Beginning at a  
615 point on the summit of the Uintah mountains two sections and one-fifth mile west of the point  
616 where the Uintah special meridian intersects the summit of the Uintah Mountains, thence

617 southwesterly along the summit of the mountains to a point due north of the center line between  
618 the east and west range lines of range 9 west of the Uintah special meridian; thence south  
619 intersecting and thence following the center line of range 9 west of the Uintah special meridian to  
620 a point where it intersects with the second standard parallel south, Salt Lake base and meridian  
621 (which point is also an extension east from the Salt Lake base and meridian); thence east to the line  
622 between ranges 9 and 10 east of Salt Lake meridian; thence south to the township line between  
623 townships 11 and 12 south of the Salt Lake base and meridian; thence east along this township line  
624 to a point south of a point located two sections and one-fifth mile west of the Uintah special  
625 meridian at the south boundary of the former Uintah Indian Reservation; thence north parallel with  
626 the 110 degrees and 00 minutes west longitude to said point; thence northerly, adjacent to and west  
627 of the Uintah special meridian a distance of two sections and one-fifth mile to the point of  
628 beginning.

629 Section 25. Section **17-50-212**, which is renumbered from Section 17-1-11 is renumbered  
630 and amended to read:

631 **[17-1-11]. 17-50-212. Emery County -- Description.**

632 The geographic boundaries of Emery County are described as follows: Beginning at the  
633 intersection of the third standard parallel south with the middle of the main channel of the Green  
634 River, thence west to the summit of the watershed next east of Huntington Creek; thence  
635 northwesterly along said summit to the section line running north and south through the middle  
636 of range 6 east; thence south to the third standard parallel south; thence west to the line between  
637 ranges 5 and 6 east; thence south to parallel 38 degrees 30 minutes north latitude, thence east to  
638 the middle of the main channel of the Green River; thence northerly up the middle of said channel  
639 to the point of beginning.

640 Section 26. Section **17-50-213**, which is renumbered from Section 17-1-12 is renumbered  
641 and amended to read:

642 **[17-1-12]. 17-50-213. Garfield County -- Description.**

643 The geographic boundaries of Garfield County are described as follows: Beginning at the  
644 intersection of the main channel of the Colorado River with the line between townships 30 and 31  
645 south, thence west along said township line to the line between ranges 5 and 6 west; thence south  
646 to the line between townships 33 and 34 south; thence west to the line between ranges 6 and 7  
647 west; thence south to the line between townships 34 and 35 south; thence west to the line between

648 ranges 7 and 8 west; thence south to the line between townships 37 and 38 south; thence east along  
649 said line to the main channel of the Colorado River; thence northeasterly up said channel to the  
650 point of beginning.

651 Section 27. Section **17-50-214**, which is renumbered from Section 17-1-13 is renumbered  
652 and amended to read:

653 **[17-1-13]. 17-50-214. Grand County -- Description.**

654 The geographic boundaries of Grand County are described as follows: Beginning at the  
655 intersection of the summit of the Brown Cliffs with the eastern boundary of the state, thence  
656 westerly along the summit of said cliffs to the third standard parallel south; thence west to the  
657 middle of the main channel of the Green River; thence southerly down the middle of said channel  
658 to parallel 38 degrees 30 minutes north latitude; thence east to the state boundary; thence north to  
659 the point of beginning.

660 Section 28. Section **17-50-215**, which is renumbered from Section 17-1-14 is renumbered  
661 and amended to read:

662 **[17-1-14]. 17-50-215. Iron County -- Description.**

663 The geographic boundaries of Iron County are described as follows: Beginning at the  
664 northwest corner of township 31 south, range 5 west, thence west to the boundary of the state;  
665 thence south to the line between townships 36 and 37 south; thence east to the line between ranges  
666 16 and 15 west; thence north to the northwest corner of township 37 south, range 15 west; thence  
667 east to the northeast corner of township 37 south, range 15 west; thence south to the southeast  
668 corner of township 37 south, range 15 west; thence east to the southeast corner of township 37  
669 south, range 13 west; thence south to the northeast corner of section 24, township 38 south, range  
670 13 west; thence east on the section lines to the intersection of the range line between ranges 12 and  
671 11 west; thence south on that range line to the southwest corner of section 18, township 38 south,  
672 range 11 west; thence east on the section lines to the intersection of the range line between ranges  
673 11 and 10 west; thence north along the range line to the southwest corner of section 18, township  
674 38 south, range 10 west; thence east on the section lines to the intersection of the range line  
675 between ranges 11 and 10 west, at the northeast corner of section 24, township 38 south, range 10  
676 west; thence north to the line separating townships 37 and 38 south; thence east to the line between  
677 ranges 8 and 7 west; thence north to the northwest corner of township 35 south, range 7 west;  
678 thence east to the northeast corner of said township 35 south, range 7 west; thence north to the

679 northwest corner of township 34 south, range 6 west; thence east to the northeast corner of  
680 township 34 south, range 6 west; thence north to the point of beginning.

681 Section 29. Section **17-50-216**, which is renumbered from Section 17-1-15 is renumbered  
682 and amended to read:

683 **[17-1-15]. 17-50-216. Juab County -- Description.**

684 The geographic boundaries of Juab County are described as follows: Beginning at the  
685 intersection of the second standard parallel south with the divide between Cherry and Faust Creeks,  
686 thence west to the boundary of the state; thence south to a point due west of the mouth of the lower  
687 canyon of the Sevier River; thence east on township line between townships 14 and 15 south to  
688 the middle of the channel of said river; thence northeasterly up the channel of said river to its point  
689 of intersection with the summit, if prolonged, of the range separating Oak Creek District from  
690 Little Valley; thence southerly along the summit of said last mentioned range to the summit of the  
691 high ground and mountains between the Round and Little Valleys; thence east on section line  
692 nearest the last mentioned summit to the southeast corner of section 16, township 17 south, range  
693 2 west; thence south to the southwest corner of section 22 near the top of the dugway on Sevier  
694 Hill; thence east on the section line to the southeast corner of section 24, township 17 south, range  
695 2 west; thence north on the range line between ranges 1 west and 2 west to the northwest corner  
696 of lot 11 in section 18, township 17 south, range 1 west, Salt Lake base and meridian; thence east  
697 on section line to the southwest corner of section 8, township 17 south, range 1 west, Salt Lake  
698 base and meridian; thence north on section line to the southwest corner of section 32, township 16  
699 south, range 1 west, said section corner being about half a mile northerly of the Upper Bluffs or  
700 Painted Rocks on the Sevier River; thence east on the township line to the southwest corner of  
701 section 34, township 16 south, range 1 west; thence north on section line to the northwest corner  
702 of said section 34; thence east on section line to the southeast corner of section 25, township 16  
703 south, range 1 east; thence north on the range line between ranges 1 and 2 east to the northwest  
704 corner of township 16 south, range 2 east; thence east on township line between townships 15 and  
705 16 south, range 2 east, to the northwest corner of section 4, township 16 south, range 2 east; thence  
706 north on section line to the northwest corner of section 16, township 13 south, range 2 east; thence  
707 east on section line to the quarter section corner common to sections 10 and 15 of said township  
708 and range; thence north on quarter line through section 10 to the quarter corner common to  
709 sections 3 and 10; thence east on section line to the southwest corner of section 2; thence north on

710 section line to the quarter corner common to sections 2 and 3; thence east on the quarter section  
711 line through said section 2 to the quarter corner common to sections 1 and 2; thence north to the  
712 northeast corner of said section 2; thence east on the township line between townships 12 and 13  
713 south to the southwest corner of township 12 south, range 3 east; thence north on range line  
714 between ranges 2 and 3 east to the northwest corner of section 31, township 12 south, range 3 east;  
715 thence east on section line to the southwest corner of section 27; thence north on section line to  
716 the southeast corner of section 9; thence west on section line to the southwest corner of section 8;  
717 thence north on section line to the northwest corner of section 8; thence west on section line to the  
718 southwest corner of section 6; thence north on range line between ranges 2 and 3 east to the  
719 northwest corner of township 12 south, range 3 east; thence west on township line between  
720 townships 11 and 12 south to the summit of the Nebo Range; thence northerly along the summit  
721 of the Nebo Range to the summit of the high ground and range between the Utah and Juab Valleys;  
722 thence along the last mentioned summit and the summit between the Goshen and Juab Valleys and  
723 the summit between the Tintic Valley and the Cedar and Goshen Valleys and the summit between  
724 the Tintic and Rush Valleys to the point of beginning.

725 Section 30. Section **17-50-217**, which is renumbered from Section 17-1-16 is renumbered  
726 and amended to read:

727 **[17-1-16]. 17-50-217. Kane County -- Description.**

728 The geographic boundaries of Kane County are described as follows: Beginning at the  
729 middle of the main channel of the Colorado river where intersected by the line separating  
730 townships 37 and 38 south, thence west to the line separating ranges 9 and 10 west; thence south  
731 to the boundary of the state; thence east to the middle of the main channel of the Colorado river;  
732 thence northeasterly up the middle of said channel to the point of beginning.

733 Section 31. Section **17-50-218**, which is renumbered from Section 17-1-17 is renumbered  
734 and amended to read:

735 **[17-1-17]. 17-50-218. Millard County -- Description.**

736 The geographic boundaries of Millard County are described as follows: Beginning at the  
737 southeast corner of section 24, township 17 south, range 2 west, Salt Lake base and meridian, on  
738 range line between ranges 1 and 2 west, thence west to the southwest corner of section 22 near the  
739 summit of Sevier Hill; thence north to the southeast corner of section 16; thence west on section  
740 line to the summit of the range separating Oak Creek district from the Little Valley; thence



741 northerly following the last mentioned summit to its point of intersection, if prolonged, with the  
742 middle of the channel of the Sevier River; thence southwesterly down the middle of said channel  
743 to the mouth of the lower Sevier Canyon; thence west on the township line between townships 14  
744 and 15 south to the boundary of the state; thence south to a point west of a point two miles south  
745 of the south side of Fort Wilden on Cove Creek; thence east to the summit of the range separating  
746 the Sevier Valley from the Pavant and Round Valleys; thence to the southwest corner of section  
747 31, township 25 south, range 5 west; thence east one-half mile; thence north two miles; thence east  
748 one mile; thence north three miles; thence east one-half mile; thence north one mile to the  
749 northwest corner, section 4, township 25 south, range 5 west; thence east one-half mile; thence  
750 north one mile; thence east one mile; thence north one-half mile; thence east five miles to the  
751 center of section 28, township 24 south, range 4-1/2 west; thence south one-half mile; thence east  
752 two and one-half miles; thence north one-half mile; thence east one mile; thence north one-fourth  
753 of a mile; thence east one-half mile; thence north one mile; thence east one-half mile; thence north  
754 one-fourth mile to the northwest corner of section 20, township 24 south, range 4 west; thence east  
755 one mile; thence north one-half mile; thence east three-fourths miles; thence north one-half mile;  
756 thence east one-fourth of a mile to the southwest corner of section 10, township 24 south, range  
757 4 west; thence north one-half mile; thence east one mile; thence north two and one-half miles;  
758 thence west one-half mile; thence north five miles to the quarter section corner on the north side  
759 of section 3, township 23 south, range 4 west; thence north along section line between sections 31  
760 and 32 to the northwest corner of section 32, township 22 south, range 3 west; thence east two  
761 miles to the southeast corner section 28, township 22 south, range 3 west; thence north one mile;  
762 thence east one mile; thence north two miles; thence east one mile; thence east one mile to the  
763 southeast corner of section 36, township 21 south, range 3 west; thence north one and one-half  
764 miles more or less to the southwest corner of section 21, township 21 south, range 2-1/2 west;  
765 thence east to the quarter section corner on the south side of section 19, township 21 south, range  
766 2 west; thence north two miles; thence east one-half mile to the southeast corner of section 7,  
767 township 21 south, range 2 west; thence north one-half mile; thence east two miles; thence north  
768 to the northwest corner of section 3, township 21 south, range 2 west; thence east to the southeast  
769 corner of section 36, township 20 south, range 2 west: thence north on the range line between  
770 ranges 1-1/2 and 2 west to the southeast corner of section 24, township 17 south, range 2 west, Salt  
771 Lake base and meridian to the point of beginning.

772 Section 32. Section **17-50-219**, which is renumbered from Section 17-1-18 is renumbered  
773 and amended to read:

774 **[~~17-1-18~~]. 17-50-219. Morgan County -- Description.**

775 The geographic boundaries of Morgan County are described as follows: Beginning at the  
776 point on the summit of the Wasatch range of mountains nearest to the eastern headwaters of the  
777 Ogden river, thence southwesterly along the summit of said range passing south around the  
778 headwaters of the Ogden river to the summit of the main Wasatch range southeast of Ogden City;  
779 thence southerly along the summit of said range crossing the Weber canyon and river to the  
780 summit of the cross range through which the upper canyon of East Canyon creek runs; thence  
781 easterly along the summit of said last mentioned range to, and thence northerly along, the summit  
782 of the range between East Canyon creek and the Weber river to the Weber river; thence  
783 northeasterly across said river and along the summit of the high land between Lost and Echo  
784 Canyon creeks to the summit of the Wasatch range separating the valley of the Bear river from the  
785 valley of the Weber river; thence northwesterly along the last mentioned summit to the point of  
786 beginning.

787 Section 33. Section **17-50-220**, which is renumbered from Section 17-1-19 is renumbered  
788 and amended to read:

789 **[~~17-1-19~~]. 17-50-220. Piute County -- Description.**

790 The geographic boundaries of Piute County are described as follows: Beginning at the  
791 northeast corner of the southeast quarter of the southwest quarter of section 35, township 26 south,  
792 range 1 east of the Salt Lake meridian; thence westerly along the 40-line parallel to section line to  
793 the range line between 2 and 3 west; thence north on range line to the northeast corner of the  
794 southeast quarter of the northeast quarter of section 25, township 26 south, range 3 west of the Salt  
795 Lake meridian; thence westerly along the 40-line parallel to the section line, to the northwest  
796 corner of the southwest quarter of the northwest quarter of section 34, township 26 south, range  
797 6 west to the summit of the range separating Beaver and Pavant Valleys from Sevier Valley; thence  
798 southerly following said last mentioned summit to the line between townships 30 and 31 south;  
799 thence east to the Salt Lake meridian; thence north to the intersection of said meridian with the  
800 summit of the range separating Grass and Rabbit Valleys; thence northeasterly along said summit  
801 to the point of beginning.

802 Section 34. Section **17-50-221**, which is renumbered from Section 17-1-20 is renumbered

803 and amended to read:

804 **[17-1-20]. 17-50-221. Rich County -- Description.**

805 The geographic boundaries of Rich County are described as follows: Beginning at the point  
806 of intersection of the boundaries of Utah, Idaho and Wyoming, thence west to the summit of the  
807 watershed separating Cache and Bear Lake Valleys; thence southerly along the summit of said  
808 watershed to the summit of the Wasatch Range lying north and east of the headwaters of the Ogden  
809 River; thence southeasterly along the summit of the last mentioned range to, and thence along the  
810 summit of the mountains separating the valley of the Bear River from the valley of the Weber  
811 River to a point opposite and nearest to the Union Pacific Railroad, one mile east of Wasatch  
812 Station; thence southerly to the north side of said railroad; thence northeasterly along the north side  
813 of said railroad to the summit west of the Bear River Valley; thence east to the state boundary;  
814 thence north to the point of beginning.

815 Section 35. Section **17-50-222**, which is renumbered from Section 17-1-21 is renumbered  
816 and amended to read:

817 **[17-1-21]. 17-50-222. Salt Lake County -- Description.**

818 The geographic boundaries of Salt Lake County are described as follows: Beginning at the  
819 intersection of the summit of the Wasatch Range with the summit of the spur range terminating  
820 at the hot spring in the northern part of Salt Lake City, thence southwesterly along said last  
821 mentioned summit to a point east of a point 136 rods north of said hot spring; thence west to the  
822 middle of the channel of the Jordan River; thence down the middle of said channel to the mouth  
823 of said river; thence west to the west line of range 1 west; thence southwesterly and equidistant  
824 between Antelope Island and the south shore of Great Salt Lake to the base line of the United  
825 States Survey where intersected by a straight line drawn between Black Rock on the south shore  
826 of said lake and the middle point of a line running from the west shore of the said lake at latitude  
827 41 degrees north to a point on the east shore of said lake west of the middle channel of the Weber  
828 River where said channel lies north of the northwest corner of Kingston's Fort; thence  
829 southeasterly through Black Rock to the northern end of, and thence along, the summit of the  
830 Oquirrh Range to the summit of the cross range between the Oquirrh and Wasatch Ranges; thence  
831 easterly along said last mentioned summit to the summit of the Wasatch Range; thence  
832 northwesterly along said last mentioned summit to the point of beginning.

833 Section 36. Section **17-50-223**, which is renumbered from Section 17-1-22 is renumbered

834 and amended to read:

835 **[17-1-22]. 17-50-223. San Juan County -- Description.**

836 The geographic boundaries of San Juan County are described as follows: Beginning on the  
837 eastern boundary of the state at latitude 38 degrees and 30 minutes north, thence west to the middle  
838 of the main channel of the Green River; thence southwesterly down the middle of the channels of  
839 the Green and Colorado Rivers to the southern boundary of the state; thence east to the eastern  
840 boundary of the state; thence north to the point of beginning.

841 Section 37. Section **17-50-224**, which is renumbered from Section 17-1-23 is renumbered  
842 and amended to read:

843 **[17-1-23]. 17-50-224. Sanpete County -- Description.**

844 The geographic boundaries of Sanpete County are described as follows: Beginning at the  
845 intersection of the line between townships 11 and 12 south and the section line running north and  
846 south through the middle of range 6 east, Salt Lake meridian, thence west along the township line  
847 between townships 11 and 12 south to the northwest corner of township 12 south, range 3 east;  
848 thence south on range line between ranges 2 and 3 east to the southwest corner of section 6,  
849 township 12 south, range 3 east; thence east on section line to the northwest corner of section 8;  
850 thence south on section line to the southwest corner of section 8; thence east on section line to the  
851 southeast corner of section 9; thence south on section line to the southwest corner of section 27;  
852 thence west on section line to the northwest corner of section 31; thence south on the range line  
853 between ranges 2 and 3 east, to the southwest corner of township 12 south, range 3 east; thence  
854 west on township line between townships 12 and 13 south to the northeast corner of section 2,  
855 township 13 south, range 2 east; thence south on section line to the quarter corner common to  
856 sections 1 and 2; thence west on the quarter section line through said section 2 to quarter corner  
857 common to sections 2 and 3; thence south on section line to the southwest corner of section 2;  
858 thence west on section line to quarter corner common to sections 3 and 10; thence south on quarter  
859 line through section 10 to the quarter corner common to sections 10 and 15; thence west on section  
860 line to the northwest corner of section 16; thence south on section line to the northwest corner of  
861 section 4, township 16 south, range 2 east; thence west on township line between townships 15 and  
862 16 south, range 2 east to the northwest corner of township 16 south, range 2 east; thence south on  
863 range line between ranges 1 and 2 east to the southeast corner of section 25, township 16 south,  
864 range 1 east; thence west on the section line to the northwest corner of section 34, township 16

865 south, range 1 west; thence south on section lines to the southwest corner of section 34; thence  
866 west on the township line to the southwest corner of section 32, township 16 south, range 1 west,  
867 said section corner being about half a mile northerly of the Upper Bluffs or Painted Rocks on the  
868 Sevier River; thence south on section line to the southwest corner of section 8, township 17 south,  
869 range 1 west; thence west on section line to the northwest corner of lot 11 in section 18, township  
870 17 south, range 1 west; thence south on the range line between ranges 1 and 2 west and between  
871 ranges 1-1/2 west and 2 west to a point west of the point where the road between Gunnison and  
872 Salina crosses Willow Creek at the forks of said creek; thence east to the east bank of the Sevier  
873 River; thence southerly along the east bank of said river to a point one mile north of the fourth  
874 standard parallel south; thence east to the line between ranges 5 and 6 east; thence north to the  
875 third standard parallel south; thence east to the line running north and south through the middle  
876 of range 6 east; thence north to the point of beginning.

877 Section 38. Section **17-50-225**, which is renumbered from Section 17-1-24 is renumbered  
878 and amended to read:

879 **[17-1-24]. 17-50-225. Sevier County -- Description.**

880 The geographic boundaries of Sevier County are described as follows: Beginning at a point  
881 on the line between the ranges 5 and 6 east one mile north of fourth standard parallel south, thence  
882 west to the east bank of the Sevier River; thence northerly along the east bank of said river to a  
883 point west of a point where the road between Gunnison and Salina crosses Willow Creek at the  
884 forks of said creek; thence west to the range line between ranges 1-1/2 and 2 west, township 20  
885 south; thence south to the southeast corner, section 36, township 20 south, range 2 west; thence  
886 west to the northwest corner, section 3, township 21 south, range 2 west; thence south to the  
887 one-fourth corner on the east side of section 9, township 21 south, range 2 west; thence west two  
888 miles; thence south one-half mile; thence west one-half mile; thence south two miles; thence west  
889 one-half mile to the southwest corner of section 19, township 21 south, range 2 west; thence west  
890 to the southwest corner of section 21, township 21 south, range 2-1/2 west; thence south to the  
891 southeast corner of section 36, township 21 south, range 3 west; thence west one mile; thence  
892 south two miles; thence west one mile; thence south two miles; thence west one mile; thence south  
893 one mile; thence west two miles to the southeast corner of section 30, township 22 south, range  
894 3 west; thence south along the section line between sections 31 and 32 to the quarter corner on the  
895 north side of section 3, township 23 south, range 4 west; thence south five miles; thence east

896 one-half mile; thence south one mile to the southeast corner of section 34, township 23 south,  
897 range 4 west; thence south one and one-half miles; thence west one mile; thence south one-half  
898 mile; thence west one-fourth mile; thence south one-half mile; thence west three-fourths mile;  
899 thence south one-half mile; thence west one mile; thence south one-fourth mile; thence west  
900 one-half mile; thence south one mile; thence west one-half mile; thence south one-fourth mile;  
901 thence west one mile; thence south one-half mile to the southeast corner of section 26, township  
902 24 south, range 4-1/2 west; thence west two and one-half miles; thence north one-half mile; thence  
903 west five miles; thence south one-half mile; thence west one mile; thence south one mile; thence  
904 west one-half mile to the southeast corner of section 32, township 24 south, range 5 west; thence  
905 one mile south; thence one-half mile west; thence south three miles; thence west one mile; thence  
906 south two miles; thence west one-half mile to the southwest corner of section 31, township 25  
907 south, range 5 west; thence to the northeast corner of Beaver County at the summit of the range  
908 separating Sevier Valley from Round and Pavant Valleys; thence southwesterly along the summit  
909 of said range to the northwest corner of the southwest quarter of the northwest quarter of section  
910 34, township 26 south, range 6 west; thence easterly along the 40-line parallel to the section line  
911 to the range line between 2 and 3 west; thence south on range line to the 40-line running east  
912 through the south one-half of section 31, township 26 south, range 2 west of the Salt Lake  
913 meridian; thence easterly along said 40-line parallel to the section line to the northeast corner of  
914 the southeast quarter of the southwest quarter of section 35, township 26 south, range 1 east, Salt  
915 Lake meridian to the summit of the range separating Grass and Rabbit Valleys; thence  
916 northeasterly along said summit to a point due east of the point at which the wagon road crosses  
917 the summit between Marysvale and Monroe; thence east to the line between ranges 5 and 6 east;  
918 thence north to the point of beginning.

919 Section 39. Section **17-50-226**, which is renumbered from Section 17-1-25 is renumbered  
920 and amended to read:

921 **[17-1-25]. 17-50-226. Summit County -- Description.**

922 The geographic boundaries of Summit County are described as follows: Beginning on the  
923 northern boundary of the state at longitude 110 degrees west, thence west to the southwest corner  
924 of Wyoming; thence north to a point east of the point where the north side of the Union Pacific  
925 Railroad crosses the summit first west of Bear River Valley; thence west to the north side of said  
926 railroad; thence southwesterly along the north side of said road to a point one mile east of Wasatch

927 Station; thence northerly to the nearest point of the summit of the range of mountains between  
928 Bear River and Weber Valleys; thence southwesterly along said last mentioned summit to its  
929 intersection with the summit of the high land between Echo and Lost Creeks; thence southwesterly  
930 down said last mentioned summit to and directly across the Weber River; thence southerly along  
931 the summit of the range separating East Canyon from Weber Valley to the summit of the cross  
932 range through which the upper canyon of East Canyon Creek runs; thence westerly to the summit  
933 of the Wasatch Range; thence southeasterly along said summit to the summit of the range next  
934 south of the headwaters of Silver and East Canyon Creeks; thence easterly along said last  
935 mentioned summit to the point where it is crossed by the road between Rhoads Valley and Salt  
936 Lake City; thence southerly to the middle of the channel of the Provo River at the high bluff below  
937 Goddard's Ranch; thence easterly along the middle of said channel to the headwaters of the said  
938 river farthest east; thence east to the summit of the Uintah Range; thence northeasterly to the one  
939 hundred and tenth meridian of west longitude; thence north to the point of beginning.

940 Section 40. Section **17-50-227**, which is renumbered from Section 17-1-26 is renumbered  
941 and amended to read:

942 **[17-1-26]. 17-50-227. Tooele County -- Description.**

943 The geographic boundaries of Tooele County are described as follows: Beginning at the  
944 middle point of a straight line drawn between a point on the west shore of Great Salt Lake at  
945 latitude 41 degrees north and a point on the east shore of said lake due west of the middle of the  
946 channel of the Weber River and north of the northwest corner of Kingston's Fort, thence  
947 southwesterly along said line to the west shore of said lake; thence west to the western boundary  
948 of the state; thence south to the second standard parallel south; thence east to the summit of the  
949 divide between Cherry and Faust Creeks; thence along the summit of the range next east of the  
950 Rush and Tooele Valleys to the northern end of said summit; thence northeasterly on a straight line  
951 through Black Rock on the shore of Great Salt Lake to the point of beginning.

952 Section 41. Section **17-50-228**, which is renumbered from Section 17-1-27 is renumbered  
953 and amended to read:

954 **[17-1-27]. 17-50-228. Uintah County -- Description.**

955 The geographic boundaries of Uintah County are described as follows: Beginning at a point  
956 on the summit of the Uintah Mountains two sections and one-fifth mile west of a point where the  
957 Uintah special meridian intersects the summit of the Uintah Mountains, thence southerly, adjacent

958 to and west of the Uintah special meridian a distance of two sections and one-fifth mile to the  
959 south boundary of the former Uintah Indian Reservation; thence south parallel with the 110  
960 degrees and 00 minutes west longitude to the line between townships 11 and 12 south, Salt Lake  
961 base and meridian; thence east to the middle of the main channel of the Green River; thence down  
962 the channel to the third standard parallel south; thence east to the summit of the Brown Cliffs;  
963 thence northeasterly to the state boundary; thence north to the east quarter corner of section twelve  
964 (12), township 2 south of range 25 east of Salt Lake base and meridian; thence west along the  
965 center lines of sections twelve (12), eleven (11), ten (10), and nine (9), to the west quarter corner  
966 of section nine (9), township 2 south of range 25 east; thence north along the west boundary lines  
967 of sections nine (9), and four (4) to the northwest corner of section four (4), township 2 south of  
968 range 25 east; thence west along the south boundary lines of sections thirty-two (32), and  
969 thirty-one (31) township 1 south of range 25 east to the southwest corner of said township; thence  
970 north along the west boundary line of said township 1 south of range 25 east to the northwest  
971 corner of the township and range; thence west along the south boundary line of township 1 north  
972 of range 24 east to the southwest corner of section thirty-six (36), township 1 north of range 24  
973 east; thence north along the west boundary line of section thirty-six (36), to the northwest corner  
974 of said section thirty-six (36); thence west along the south boundary lines of sections twenty-six  
975 (26), and twenty-seven (27), township 1 north of range 24 east to the southwest corner of section  
976 twenty-seven (27), or range and township; thence north along the west boundary lines of sections  
977 twenty-seven (27), twenty-two (22), fifteen (15), ten (10) and three (3) to the northwest corner of  
978 section three (3), township 1 north of range 24 east; thence west along the south boundary lines  
979 of townships 2 north of ranges 24, 23 and 22 east to the northwest corner of section one (1),  
980 township one (1) north of range twenty-two (22) east; thence south along the west boundary line  
981 of sections one (1), twelve (12), thirteen (13), twenty-four (24) and twenty-five (25), township one  
982 (1) north of range twenty-two (22) east to the west quarter corner section twenty-five (25),  
983 township one (1) north, range twenty-two (22) east; thence westerly to the monument at the top  
984 of Mt. Lena, thence in a westerly direction following the water parting line along the summit of  
985 the Uintah Mountains to the point of beginning.

986 Section 42. Section **17-50-229**, which is renumbered from Section 17-1-28 is renumbered  
987 and amended to read:

988 **[17-1-28]. 17-50-229. Utah County -- Description.**



989           The geographic boundaries of Utah County are described as follows: Beginning at the point  
990 of intersection of the Wasatch Range with the summit of the range crossing from the Wasatch to  
991 the Oquirrh Mountains, thence westerly along said last mentioned summit to the summit of the  
992 range between the Cedar and Rush Valleys; thence southerly along said summit to the summit of  
993 the range between the Tintic Valley and the Goshen and Cedar Valleys; thence southerly along said  
994 last mentioned summit to, and thence easterly along, the summit between Goshen and Juab Valleys  
995 to, and thence northeasterly along, the summit of the high ground and range of mountains between  
996 Utah and Juab Valleys to the summit of the Nebo Range; thence southeasterly along said summit  
997 to the line between townships 11 and 12 south; thence east to the line between ranges 9 and 10  
998 east; thence north to the township line between townships 10 and 11 south; thence west to a point  
999 due south of the point where the wagon road from Spanish Fork to White River as it existed in  
1000 February, 1880, crossed the summit of the divide south of the Strawberry Valley; thence north to  
1001 said last mentioned point of crossing; thence northwesterly along the summit of the range passing  
1002 around the headwaters of Spanish Fork and Hobble Creeks to a point south of the point on the  
1003 Provo River one-fourth of a mile upstream from the middle of the mouth of the north fork of said  
1004 river; thence north to the summit of the range passing around the headwaters of Battle and  
1005 American Fork Creeks; thence following said summit to the point of beginning.

1006           Section 43. Section **17-50-230**, which is renumbered from Section 17-1-29 is renumbered  
1007 and amended to read:

1008           ~~[17-1-29].~~    **17-50-230. Wasatch County -- Description.**

1009           The geographic boundaries of Wasatch County are described as follows: Beginning at a  
1010 point on the summit of the Uintah Range due north of the center line between the east and west  
1011 range line of range 9 west of the Uintah special meridian, thence southwesterly along the summit  
1012 of said range to a point east of the headwaters of the Provo River farthest east; thence west to the  
1013 said headwaters; thence down the middle of the channel of said river to the high bluff below  
1014 Goddard's Ranch; thence northerly to the point where the road between the Rhodes Valley and Salt  
1015 Lake City crosses the summit of the range south and east of the headwaters of East Canyon and  
1016 Silver Creeks; thence north to said point of crossing; thence southwesterly along said last  
1017 mentioned summit to the summit of the Wasatch Range at a point north of a point on the Provo  
1018 River one-fourth of a mile upstream from the middle of the mouth of the north fork of said river;  
1019 thence south to the summit of the range east of the headwaters of Hobble and Spanish Fork Creeks;

1020 thence southeasterly along said last mentioned summit to the point where the White River and  
1021 Spanish Fork Road crossed said summit in February, 1880; thence south to the second standard  
1022 parallel south, Salt Lake base and meridian (which point is also an extension east from the Salt  
1023 Lake base line of the line between townships 10 and 11 south of Salt Lake meridian); thence east  
1024 along this line to its intersection with the center line between the east and west range lines of range  
1025 9 west of the Uintah special meridian; thence following the center line of the said range 9 west of  
1026 the Uintah special meridian to its northern extremity; thence due north to the point of beginning.

1027 Section 44. Section **17-50-231**, which is renumbered from Section 17-1-30 is renumbered  
1028 and amended to read:

1029 **[17-1-30]. 17-50-231. Washington County -- Description.**

1030 The geographic boundaries of Washington County are described as follows: Beginning at  
1031 the intersection of the line between townships 36 and 37 south and the western boundary of the  
1032 state of Utah, thence east to the line between ranges 15 and 16 west; thence north to the northwest  
1033 corner of township 37 south, range 15 west; thence east to the northeast corner of township 37  
1034 south, range 15 west; thence south to the southeast corner of township 37 south, range 15 west;  
1035 thence east to the southeast corner of township 37 south, range 13 west; thence south to the  
1036 northeast corner of section 24, township 38 south, range 13 west; thence east on the section line  
1037 to the intersection of the range line between ranges 11 and 12 west; thence south on that range line  
1038 to the southwest corner of section 18, township 38 south, range 11 west; thence east on the section  
1039 line to the intersection of the range line between ranges 10 and 11 west; thence north along the  
1040 range line to the southwest corner of section 18, township 38 south, range 10 west; thence east on  
1041 the section line to the intersection of the range line between ranges 9 and 10 west at the northeast  
1042 corner of section 24, township 38 south, range 10 west; thence south on that range line to the south  
1043 boundary line of the state of Utah; thence west along the Utah-Arizona boundary line to the west  
1044 boundary line of the state of Utah; thence north along said west boundary line to the point of  
1045 beginning.

1046 Section 45. Section **17-50-232**, which is renumbered from Section 17-1-31 is renumbered  
1047 and amended to read:

1048 **[17-1-31]. 17-50-232. Wayne County -- Description.**

1049 The geographic boundaries of Wayne County are described as follows: Beginning at the  
1050 middle of the channel of the Green River at latitude 38 degrees and 30 minutes north, thence west

1051 to the line between ranges 5 and 6 east; thence north to a point east of the point where the wagon  
1052 road crosses the summit between Marysvale and Monroe; thence west to the summit of the range  
1053 between the Rabbit and Grass Valleys; thence southwesterly along said summit to the Salt Lake  
1054 meridian; thence south to the line between townships 30 and 31 south; thence east to the middle  
1055 of the channel of the Colorado River; thence northerly up the channels of the Colorado and Green  
1056 Rivers to the point of beginning.

1057 Section 46. Section **17-50-233**, which is renumbered from Section 17-1-32 is renumbered  
1058 and amended to read:

1059 **[17-1-32]. 17-50-233. Weber County -- Description.**

1060 The geographic boundaries of Weber County are described as follows: Beginning at the  
1061 intersection of the summit of the Wasatch Range north and east of the Ogden Valley and the  
1062 summit of the range separating the Bear Lake Valley from the Cache Valley, thence westerly to  
1063 the hot springs near the county road north of Ogden along the summits of the Wasatch Range and  
1064 the spur range terminating at said hot springs; thence west to the line between ranges 3 and 4 west;  
1065 thence southwesterly in a straight line to the middle point of a line drawn from a point on the east  
1066 shore of Great Salt Lake west of the middle of the channel of the Weber River north of the  
1067 northwest corner of Kingston's Fort to a point on the west shore of said lake at latitude 41 degrees  
1068 north; thence northeasterly along said last described line to the east shore of Great Salt Lake;  
1069 thence east to the middle of the channel of the Weber River; thence up the middle of said channel  
1070 to a point where crossed by the summit line of the Wasatch Range; thence northeasterly along the  
1071 summit of said range around the headwaters of the Ogden River to the point of beginning.

1072 Section 47. Section **17-50-301**, which is renumbered from Section 17-4-2 is renumbered  
1073 and amended to read:

1074 **Part 3. County Powers**

1075 **[17-4-2]. 17-50-301. Exercise of county powers.**

1076 The powers of a county [can] may be exercised only by the county executive and county  
1077 legislative body or by agents and officers acting under their authority or under authority of law.

1078 Section 48. Section **17-50-302**, which is renumbered from Section 17-4-3 is renumbered  
1079 and amended to read:

1080 **[17-4-3]. 17-50-302. General county powers.**

1081 (1) A county may:

1082 (a) as prescribed by statute, levy, assess, and collect taxes, borrow money, and levy and  
1083 collect special assessments for benefits conferred; and

1084 (b) provide services, exercise powers, and perform functions that are reasonably related  
1085 to the safety, health, morals, and welfare of their inhabitants, except as limited or prohibited by  
1086 statute.

1087 (2) A county [has power] may:

1088 ~~[(1) To] (a) sue and be sued[-];~~

1089 ~~[(2) To] (b) acquire land, including at a tax sale, and hold [land within its limits] it as~~  
1090 ~~necessary and proper for county purposes[-, and on tax sales.];~~

1091 ~~[(3) To] (c) make such contracts and [to] purchase and hold such personal property as may~~  
1092 ~~be necessary to the exercise of its powers[-]; and~~

1093 ~~[(4) To] (d) manage and dispose of its property as the interests of its inhabitants may~~  
1094 ~~require.~~

1095 ~~[(5) To levy and collect such taxes for purposes under its exclusive jurisdiction as are~~  
1096 ~~authorized by law.]~~

1097 Section 49. Section **17-50-303**, which is renumbered from Section 17-4-4 is renumbered  
1098 and amended to read:

1099 ~~[17-4-4].~~ **17-50-303. County borrowing authorized -- Issuance of tax anticipation**  
1100 **notes -- Purposes.**

1101 (1) [No county shall in any manner give or lend its credit to or in aid of any person or  
1102 corporation, or appropriate money in aid of any private enterprise. The] A county [legislative body]  
1103 may borrow money in anticipation of the collection of taxes and other county revenues [of the  
1104 county] in the manner and subject to the conditions of [the] Title 11, Chapter 14, Utah Municipal  
1105 Bond Act. [This]

1106 (2) A county may incur indebtedness [may be incurred] under Subsection (1) for any  
1107 purpose for which funds of the county may be expended.

1108 Section 50. Section **17-50-304**, which is renumbered from Section 17-5-219 is renumbered  
1109 and amended to read:

1110 ~~[17-5-219].~~ **17-50-304. Actions -- Control and direction.**

1111 [They] A county may control and direct the prosecution and defense of all actions to which  
1112 the county is a party, and, when necessary [may], employ counsel to assist the county attorney or

1113 district attorney in conducting [~~the same~~] those actions or any other cases where the county  
1114 attorney or district attorney is authorized by law to act.

1115 Section 51. Section **17-50-305**, which is renumbered from Section 17-5-229 is renumbered  
1116 and amended to read:

1117 ~~[17-5-229]~~. **17-50-305. Police, building, and sanitary regulations.**

1118 [They] A county may make and enforce within the limits of the county, outside the limits  
1119 of [~~incorporated~~] cities and towns, all such local, police, building, and sanitary regulations as are  
1120 not in conflict with general laws.

1121 Section 52. Section **17-50-306**, which is renumbered from Section 17-5-232 is renumbered  
1122 and amended to read:

1123 ~~[17-5-232]~~. **17-50-306. County roads and airports -- Acquisition and control --**  
1124 **Retainage.**

1125 (1) [They] A county may:

1126 (a) contract for, purchase, or otherwise acquire, when necessary, rights of way for county  
1127 roads over private property, and may institute proceedings for acquiring such rights of way as  
1128 provided by law~~[, and]~~;

1129 (b) lay out, construct, maintain, control, and manage county roads, sidewalks, ferries and  
1130 bridges within the county, outside of [~~incorporated~~] cities~~[, may]~~ and towns;

1131 (c) designate the county roads to be maintained by the county within or extending through  
1132 any [~~incorporated~~] city or town, which [~~in no case shall~~] may not be more than three in the same  
1133 direction~~[, and may]~~;

1134 (d) abolish or abandon [~~such~~] county roads [~~as~~] that are unnecessary for the use of the  
1135 public, in the manner provided by law~~[. They may also]~~; and

1136 (e) lay out, construct, maintain, control, and manage landing fields and hangars for the use  
1137 of airplanes or other vehicles for aerial travel [~~anywhere within the county~~].

1138 (2) If any payment on a contract with a private contractor to construct county roads,  
1139 sidewalks, ferries, and bridges under this section is retained or withheld, it shall be retained or  
1140 withheld and released as provided in Section 13-8-5.

1141 Section 53. Section **17-50-307**, which is renumbered from Section 17-5-233 is renumbered  
1142 and amended to read:

1143 ~~[17-5-233]~~. **17-50-307. Granting franchises over public roads -- Limitation.**

1144 [They] (1) A county may grant franchises along and over the public roads and highways  
1145 for all lawful purposes, upon such terms, conditions, and restrictions as in the judgment of the  
1146 [~~board may be~~] county legislative body are necessary and proper, to be exercised in such manner  
1147 as to present the least possible obstruction and inconvenience to the traveling public[~~, but such~~  
1148 ~~permission shall~~].

1149 (2) A franchise under Subsection (1) may not be granted for a [~~longer~~] period longer than  
1150 50 years.

1151 Section 54. Section **17-50-308**, which is renumbered from Section 17-5-234 is renumbered  
1152 and amended to read:

1153 [~~17-5-234~~]. **17-50-308. Franchises for toll roads.**

1154 [They] (1) Subject to Subsection (2), a county may grant, on such terms, conditions, and  
1155 restrictions as in the judgment of the [~~board may be~~] county executive are necessary and proper,  
1156 licenses and franchises for taking tolls on public roads or highways whenever in the judgment of  
1157 the [~~board~~] county executive the expense of operating or maintaining [~~such~~] the roads or highways  
1158 as free public highways is too great to justify the county in operating or maintaining them[;  
1159 provided, that it shall always be a condition attached to the granting of such licenses and  
1160 franchises].

1161 (2) Each license and franchise granted under Subsection (1) shall contain the condition that  
1162 [~~such~~] the roads and highways shall be kept in reasonable repair by the persons to whom such  
1163 licenses or franchises [~~may be~~] are granted.

1164 Section 55. Section **17-50-309**, which is renumbered from Section 17-5-235 is renumbered  
1165 and amended to read:

1166 [~~17-5-235~~]. **17-50-309. Franchises for ferries and bridges.**

1167 [They] (1) A county may grant licenses and franchises for constructing and keeping in  
1168 repair roads, bridges, and ferries and for the taking of tolls [~~thereon~~] on them. [~~All persons~~]

1169 (2) Each person operating any toll boat or ferry for the transportation of persons, vehicles,  
1170 or livestock across any stream, river, or body of water in this state shall obtain a franchise for [~~the~~]  
1171 its operation [~~of the same~~] from the county executive of the county [~~or counties~~] in which such  
1172 boat or ferry is operated. [~~Whenever~~]

1173 (3) If such boat or ferry is operated on a stream or body of water forming the boundary line  
1174 between two adjoining counties, the person operating the boat or ferry shall obtain a franchise

1175 [~~shall be obtained~~] from the county executive of each [~~of such counties~~] county.

1176 Section 56. Section **17-50-310**, which is renumbered from Section 17-5-236 is renumbered  
1177 and amended to read:

1178 ~~[17-5-236]~~. **17-50-310. Regulation of use of roads.**

1179 [They] A county may enact ordinances and make regulations not in conflict with law for  
1180 the control, construction, alteration, repair, and use of all public roads and highways in the county  
1181 outside of [~~incorporated~~] cities and towns.

1182 Section 57. Section **17-50-311**, which is renumbered from Section 17-5-237 is renumbered  
1183 and amended to read:

1184 ~~[17-5-237]~~. **17-50-311. Water and water rights -- Acquisition and control --**  
1185 **Retainage.**

1186 (1) [They] A county may:

1187 (a) purchase, receive by donation, or lease any real or personal property or water rights  
1188 necessary for the use of the county; [may]

1189 (b) purchase or otherwise acquire the necessary real estate upon which to sink wells to  
1190 obtain water for sprinkling roads and for other county purposes and [may] erect thereon pumping  
1191 apparatus, tanks, and reservoirs for [the] obtaining and [~~storage of~~] storing water for such  
1192 purposes[; may] and preserve, take care of, manage, and control the [same] water; [may]

1193 (c) purchase, receive by donation, or lease any water rights or stock or rights in reservoirs  
1194 or storage companies or associations for the use of citizens of the county; [may]

1195 (d) construct dams and canals for the storage and distribution of [such] waters referred to  
1196 in Subsection (1)(c); and [may]

1197 (e) fix the price for and sell [such] water, water rights, stock, or rights in reservoir or  
1198 storage companies or associations, with the dams and canals, as are not required for public use to  
1199 citizens of the county.

1200 (2) If any payment on a contract with a private contractor to construct dams and canals  
1201 under this section is retained or withheld, it shall be retained or withheld and released as provided  
1202 in Section 13-8-5.

1203 Section 58. Section **17-50-312**, which is renumbered from Section 17-5-239 is renumbered  
1204 and amended to read:

1205 ~~[17-5-239]~~. **17-50-312. Courthouse, jail, hospital, and other public buildings --**

1206 **Acquisition and control -- Retainage.**

1207 (1) [They] A county may erect, repair or rebuild, and furnish a courthouse, jail, hospital,  
1208 and such other public buildings as may be necessary, and join with cities and towns in the  
1209 construction, ownership, and operation of hospitals.

1210 (2) If any payment on a contract with a private contractor to erect, repair, or rebuild public  
1211 buildings under this section is retained or withheld, it shall be retained or withheld and released  
1212 as provided in Section 13-8-5.

1213 Section 59. Section **17-50-313**, which is renumbered from Section 17-5-242 is renumbered  
1214 and amended to read:

1215 **[17-5-242]. 17-50-313. Acquisition, management, and disposal of property.**

1216 (1) [The] A county may purchase, receive, hold, sell, lease, convey, or otherwise acquire  
1217 and dispose of any real or personal property or any interest in such property that it determines to  
1218 be in the public interest.

1219 (2) Any property interest acquired by the county shall be held in the name of the county  
1220 unless specifically otherwise provided by law.

1221 (3) The county legislative body shall provide by ordinance, resolution, rule, or regulation  
1222 for the manner in which property shall be acquired, managed, and disposed of.

1223 Section 60. Section **17-50-314**, which is renumbered from Section 17-5-243 is renumbered  
1224 and amended to read:

1225 **[17-5-243]. 17-50-314. Provisions for general health -- Creation of health**  
1226 **department.**

1227 [The board of health] Each county shall:

1228 (1) make provisions for the preservation of health in the county and pay the related  
1229 expenses; and

1230 (2) in cooperation with municipalities in the county, create a local health department as  
1231 provided in Title 26A, Chapter 1, Part 1, Local Health Department Act.

1232 Section 61. Section **17-50-315**, which is renumbered from Section 17-5-245 is renumbered  
1233 and amended to read:

1234 **[17-5-245]. 17-50-315. Powers of cities and towns not affected.**

1235 Nothing [contained] in this chapter [is intended] may be construed to diminish, impair, or  
1236 [in any wise] affect the power conferred upon [incorporated] cities and towns.



1237 Section 62. Section **17-50-316**, which is renumbered from Section 17-5-256 is renumbered  
1238 and amended to read:

1239 ~~[17-5-256].~~ **17-50-316. Deposit of tax moneys.**

1240 All [such] taxes shall as rapidly as they are collected be deposited into the county treasury.

1241 Section 63. Section **17-50-317**, which is renumbered from Section 17-5-264 is renumbered  
1242 and amended to read:

1243 ~~[17-5-264].~~ **17-50-317. Study and improvement of county government -- Charges**  
1244 **and expenses.**

1245 ~~(1) [The several counties of the state of Utah are authorized and empowered, either singly]~~  
1246 A county may, individually or in association with other counties, ~~[to]~~ study the processes and  
1247 methods of county government with a view to improvement and ~~[to]~~ cause to be assembled and  
1248 presented to the Legislature ~~[of the state of Utah]~~ or the Congress of the United States, or to or  
1249 before the appropriate committees of either or both, such information and factual data with respect  
1250 to the effect upon ~~[said]~~ counties, the taxpayers, and the people, of existing, pending or proposed  
1251 legislation, as in the judgment of county executives and legislative bodies, will be in the interest  
1252 of and beneficial to ~~[said]~~ counties, taxpayers, and people~~[-; and the]~~.

1253 ~~(2) The~~ charges and expenses incurred under Subsection (1) shall be proper claim against  
1254 ~~[the]~~ county funds ~~[of such counties]~~, to be audited and paid as other county claims.

1255 Section 64. Section **17-50-318**, which is renumbered from Section 17-5-265 is renumbered  
1256 and amended to read:

1257 ~~[17-5-265].~~ **17-50-318. Development of county resources.**

1258 ~~[The county legislative bodies of the respective counties within the state are authorized and~~  
1259 ~~empowered to]~~ A county may provide for the development of the county's mineral, water,  
1260 manpower, industrial, historical, cultural, and other resources.

1261 Section 65. Section **17-50-319**, which is renumbered from Section 17-5-271 is renumbered  
1262 and amended to read:

1263 ~~[17-5-271].~~ **17-50-319. Expenditure of county funds authorized to develop county**  
1264 **resources.**

1265 ~~[The]~~ A county ~~[legislative body]~~ may expend county funds as are considered advisable  
1266 to ~~[carry out the purposes of this act]~~ develop county resources.

1267 Section 66. Section **17-50-320**, which is renumbered from Section 17-5-275 is renumbered

1268 and amended to read:

1269 ~~[17-5-275].~~ **17-50-320. Mental health and substance abuse services.**

1270 ~~[The county legislative body of each]~~ Each county shall provide mental health services in  
1271 accordance with Title 62A, Chapter 12, Mental Health, and substance abuse services in accordance  
1272 with Title 62A, Chapter 8, Substance Abuse.

1273 Section 67. Section **17-50-321**, which is renumbered from Section 17-15-17 is renumbered  
1274 and amended to read:

1275 ~~[17-15-17].~~ **17-50-321. County expenses enumerated.**

1276 County charges are:

1277 (1) those incurred against the county by any law;

1278 (2) the necessary expenses of the county attorney or district attorney incurred in criminal  
1279 cases arising in the county, and all other expenses necessarily incurred by ~~[him]~~ the county or  
1280 district attorney in the prosecution of criminal cases, except jury and witness fees;

1281 (3) the expenses necessarily incurred in the support of persons charged with or convicted  
1282 of a criminal offense and committed to the county jail;

1283 (4) ~~[the sums required by law to be paid to jurors in civil cases]~~ for ~~[counties]~~ a county not  
1284 within the state district court administrative system, the sum required by law to be paid jurors in  
1285 civil cases;

1286 (5) all charges and accounts for services rendered by any justice court judge for services  
1287 in the trial and examination of persons charged with a criminal offense not otherwise provided for  
1288 by law;

1289 (6) the contingent expenses necessarily incurred for the use and benefit of the county;

1290 (7) every other sum directed by law to be raised for any county purposes under the  
1291 direction of the ~~[governing]~~ county legislative body ~~[of the county]~~ or declared a county charge;

1292 (8) the fees of constables for services rendered in criminal cases;

1293 (9) the necessary expenses of the sheriff and ~~[his]~~ deputies incurred in civil and criminal  
1294 cases arising in the county, and all other expenses necessarily incurred by the sheriff and ~~[his]~~  
1295 deputies performing the duties imposed upon them by law; and

1296 (10) the sums required by law to be paid by the county to jurors and witnesses serving at  
1297 inquests and in criminal cases in justice courts.

1298 Section 68. Section **17-50-322**, which is renumbered from Section 17-15-21 is renumbered

1299 and amended to read:

1300 ~~[17-15-21].~~ 17-50-322. **Support of the arts by counties -- Appropriations --**

1301 **Guidelines.**

1302 ~~[The governing body of any]~~ A county may provide for and appropriate funds for the  
1303 support of the arts, including ~~[but not limited to]:~~

1304 (1) music, dance, theatre, crafts and visual, folk and literary art, for the purpose of  
1305 enriching the lives of its residents; and ~~[may]~~

1306 (2) establish guidelines for the support of the arts.

1307 Section 69. Section **17-50-401** is enacted to read:

1308 **Part 4. Claims Against the County**

1309 **17-50-401. Claims presented to county executive -- Auditor review -- Attorney review**  
1310 **-- Approval of claim.**

1311 (1) A person with a claim against a county may present it to the county executive for  
1312 review.

1313 (2) (a) The county executive shall forward all claims requesting payment for goods or  
1314 services to the county auditor for the auditor's review and recommendation to the county executive.

1315 (b) The county executive shall forward all claims regarding liability to the county attorney  
1316 or, in a county with no county attorney, to the district attorney for the attorney's review and  
1317 recommendation to the county executive regarding liability and payment.

1318 (3) The county executive may approve payment of a claim that appears to the county  
1319 executive to be just, lawful, and properly due and owing to the claimant.

1320 Section 70. Section **17-50-402**, which is renumbered from Section 17-15-10 is renumbered  
1321 and amended to read:

1322 ~~[17-15-10].~~ 17-50-402. **Claims against county -- Presentation.**

1323 (1) The county executive ~~[shall]~~ may not hear or consider any claim of any person against  
1324 the county, nor may the county executive credit or allow any claim or bill against the county,  
1325 unless the ~~[same]~~ claim is itemized, giving names, dates, and particular service rendered, or until  
1326 it has been ~~[passed upon]~~ reviewed by the county auditor.

1327 (2) (a) If the claim is for service of process, it shall state the character of process served,  
1328 upon whom, the number of days engaged, and the number of miles traveled~~;~~ if~~].~~

1329 (b) If the claim is for materials furnished, it shall state to whom the materials were

1330 furnished, by whom ordered, and the quantity and price agreed upon. [Every]

1331 (3) Each claim against the county [must] shall be:

1332 (a) presented to the county [auditor] executive within a year after the last item of the  
1333 account or claim accrued[. ~~In all cases, claims shall be~~]; and

1334 (b) duly substantiated as to [their] its correctness and as to the fact that [they are] it is justly  
1335 due.

1336 (4) If the county executive [~~shall refuse~~] refuses to hear or consider a claim because it is  
1337 not properly made out, [he] the county executive shall cause notice of the fact to be given to the  
1338 claimant or [~~to his~~] the claimant's agent and shall allow sufficient time for the [same] claim to be  
1339 properly itemized and substantiated.

1340 Section 71. Section **17-50-403**, which is renumbered from Section 17-15-11 is renumbered  
1341 and amended to read:

1342 [~~17-15-11~~]. **17-50-403. Payment or rejection of claims.**

1343 [~~When the board~~] (1) If the county executive finds that any claim presented is not payable  
1344 by the county or is not a proper county charge [~~it must be rejected~~], the county executive shall  
1345 reject the claim.

1346 (2) (a) If [it] the claim is found to be a proper county charge, but greater in amount than  
1347 is justly due, the [board] county executive may allow the claim in part and may order a warrant  
1348 drawn for the portion allowed.

1349 (b) If the claimant is unwilling to receive [~~such~~] the amount in full payment, the [claim]  
1350 county executive may [be] again [~~considered by the board~~] consider the claim.

1351 Section 72. Section **17-50-404**, which is renumbered from Section 17-15-12 is renumbered  
1352 and amended to read:

1353 [~~17-15-12~~]. **17-50-404. Action on rejected claim -- Limitation.**

1354 (1) A claimant dissatisfied with the rejection of [his] a claim or demand or with the  
1355 amount allowed [him] on [his] an account may sue the county [~~therefor~~] on the claim, demand, or  
1356 account at any time within one year after the first rejection [~~thereof~~] of the claim, demand, or  
1357 account by the [board] county executive, but not afterward.

1358 (2) If in such action judgment is recovered for more than the [board] county executive  
1359 allowed, costs shall be taxed against the county, but if no more is recovered than the [board]  
1360 county executive allowed, costs shall be taxed against the plaintiff.

1361           (3) On presentation of a certified copy of [the] a judgment against the county, the [board  
1362 must] county executive shall allow and pay the same.

1363           Section 73. Section **17-50-405**, which is renumbered from Section 17-15-13 is renumbered  
1364 and amended to read:

1365           ~~[17-15-13].~~   **17-50-405. Judgments against county -- Payment.**

1366           ~~[When any]~~ (1) If a judgment is obtained against a county, [the same must] it shall be paid  
1367 as are other county charges.

1368           (2) The county legislative body shall levy and authorize the collection of a sufficient  
1369 amount of revenue to pay off and discharge such judgment in addition to the ordinary expenses of  
1370 the county, but the property of the county and of the persons owning property situated or liable to  
1371 taxation ~~[therein shall in no case]~~ in the county may not be liable to judgment lien or to seizure or  
1372 sale upon execution or other process of any court.

1373           Section 74. Section **17-50-406**, which is renumbered from Section 17-15-14 is renumbered  
1374 and amended to read:

1375           ~~[17-15-14].~~   **17-50-406. County legislative body claim for expenses -- County**  
1376 **auditor recommendation.**

1377           ~~[All claims]~~ (1) Each claim against the county presented by any member of the county  
1378 legislative body for expenses ~~[must]~~ shall:

1379           (a) be itemized and verified as other claims~~[, and must]~~;

1380           (b) state that the service has been actually rendered~~[,]~~; and~~[, before allowance, such claims~~  
1381 ~~must]~~

1382           (c) be presented to the county ~~[attorney, who must endorse thereon, in writing, his opinion~~  
1383 ~~as to the legality thereof. If the county attorney declares the claim illegal, he must state specifically~~  
1384 ~~wherein it is illegal, and the claim must then be rejected by the county legislative body]~~ auditor.

1385           (2) The county auditor shall make a recommendation to the county executive regarding  
1386 payment of each claim presented under Subsection (1).

1387           Section 75. Section **17-50-407**, which is renumbered from Section 17-15-15 is renumbered  
1388 and amended to read:

1389           ~~[17-15-15].~~   **17-50-407. Officers not to advocate claims -- Right to oppose claims.**

1390           (1) No county officer ~~[shall]~~ may, except for ~~[his]~~ the officer's own services, present any  
1391 claim, account, or demand for allowance against the county or in any way advocate the relief asked

1392 in the claim or demand made by any other person.

1393 (2) Notwithstanding Subsection (1), a county officer may forward to the county executive  
1394 a claim made by another and may endorse on the claim the officer's recommendation to the county  
1395 executive regarding payment of the claim.

1396 (3) Any person may appear before the [board] county executive and oppose the allowance  
1397 of any claim or demand made against the county.

1398 Section 76. Section **17-52-101**, which is renumbered from Section 17-35a-102 is  
1399 renumbered and amended to read:

1400 **CHAPTER 52. FORMS OF COUNTY GOVERNMENT**

1401 **Part 1. General Provisions**

1402 **[17-35a-102]. 17-52-101. Definitions.**

1403 As used in this chapter:

1404 (1) "Appointment council" means a group of persons consisting of:

1405 (a) the governor or the governor's designee;

1406 (b) the speaker of the House of Representatives or the speaker's designee;

1407 (c) the president of the Senate or the president's designee;

1408 (d) a resident of the county in which the optional plan is proposed, designated by the  
1409 county legislative body;

1410 (e) a resident of the county in which the optional plan is proposed, designated by majority  
1411 vote of the mayors of all cities and towns in the county in which the optional plan is proposed; and

1412 (f) four other residents of the county in which the optional plan is proposed, designated  
1413 by majority vote of the five other members of the appointment council.

1414 (2) "Optional plan" means a plan establishing an alternate form of government for a county  
1415 as provided in Section ~~[17-35a-401]~~ 17-52-401.

1416 (3) "Reasonable notice" means, at a minimum:

1417 (a) (i) publication in a newspaper of general circulation within the county at least once a  
1418 week for at least two consecutive weeks ending no more than ten and no fewer than three days  
1419 before the event that is the subject of the notice; or

1420 (ii) if there is no newspaper of general circulation within the county, posting at least one  
1421 notice per 1,000 population within the county, for at least a week ending no more than three days  
1422 before the event that is the subject of the notice, at locations throughout the county that are most

1423 likely to give actual notice to county residents; and

1424 (b) if the county has an Internet home page, posting an electronic notice on the Internet for  
1425 at least seven days immediately before the event that is the subject of the notice.

1426 (4) "Study committee" means a group of persons:

1427 (a) (i) elected pursuant to a resolution adopted under Subsection [~~17-35a-202~~]  
1428 17-52-202(3)(a) or [~~17-35a-203~~] 17-52-203(3)(d)(i)(B) in which the county legislative body  
1429 specifies that the members should be elected; or

1430 (ii) appointed under Section [~~17-35a-301~~] 17-52-301; and

1431 (b) charged with the duties provided in Section [~~17-35a-303~~] 17-52-303.

1432 Section 77. Section **17-52-102** is enacted to read:

1433 **17-52-102. Allowed forms of county government -- Unless another is adopted, county**  
1434 **to operate under county commission form.**

1435 (1) Each county shall operate under one of the following forms of county government:

1436 (a) the county commission form under Section 17-52-501;

1437 (b) the expanded county commission form under Section 17-52-502;

1438 (c) the executive and chief administrative officer-council form under Section 17-52-503;

1439 (d) the county executive and council form under Section 17-52-504;

1440 (e) the council-manager form under Section 17-52-505; or

1441 (f) the council and county administrative officer form under Section 17-52-506.

1442 (2) Unless it adopts another form of government as provided in this chapter, each county  
1443 shall operate under the county commission form of government under Section 17-52-501.

1444 Section 78. Section **17-52-201**, which is renumbered from Section 17-35a-201 is  
1445 renumbered and amended to read:

#### 1446 **Part 2. Procedure**

1447 [~~17-35a-201~~]. **17-52-201. Procedure for initiating adoption of optional plan**  
1448 **-- Limitations -- Pending proceedings.**

1449 (1) An optional plan proposing an alternate form of government for a county may be  
1450 adopted as provided in this chapter.

1451 (2) The process to adopt an optional plan establishing an alternate form of county  
1452 government may be initiated by:

1453 (a) the county legislative body as provided in Section [~~17-35a-202~~] 17-52-202; or

1454 (b) registered voters of the county as provided in Section ~~[17-35a-203]~~ 17-52-203.

1455 (3) (a) If the process to adopt an optional plan has been initiated under Chapter 26, Laws  
1456 of Utah 1973, Section 3, 4, or 5, or Section ~~[17-35a-202]~~ 17-52-202 or ~~[17-35a-203]~~ 17-52-203,  
1457 the county legislative body may not initiate the process again under Section ~~[17-35a-202]~~

1458 17-52-202 unless the earlier proceeding:

1459 (i) has been concluded by the county legislative body rejecting the optional plan;

1460 (ii) has been concluded by an affirmative or negative vote of registered voters; or

1461 (iii) has not been concluded but has been pending for at least two years.

1462 (b) A county legislative body may not initiate the process to adopt an optional plan under  
1463 Section ~~[17-35a-202]~~ 17-52-202 within four years of an election at which voters approved or  
1464 rejected an optional plan proposed as a result of a process initiated by the county legislative body.

1465 (c) Registered voters of a county may not initiate the process to adopt an optional plan  
1466 under Section ~~[17-35a-203]~~ 17-52-203 within four years of an election at which voters approved  
1467 or rejected an optional plan proposed as a result of a process initiated by registered voters.

1468 ~~[(4) (a) A proceeding to adopt an optional form of county government commenced under  
1469 Chapter 26, Laws of Utah 1973, as amended, and pending on the effective date of this section may  
1470 continue under the applicable provisions of this chapter.]~~

1471 ~~[(b) No part of a proceeding to adopt an optional form of county government commenced  
1472 under Chapter 26, Laws of Utah 1973, as amended, and pending on the effective date of this  
1473 section, may be considered invalid because of a failure to meet a requirement of this chapter that  
1474 was not included in Chapter 26, Laws of Utah 1973, as amended.]~~

1475 Section 79. Section **17-52-202**, which is renumbered from Section 17-35a-202 is  
1476 renumbered and amended to read:

1477 ~~[17-35a-202]~~. **17-52-202. County legislative body initiation of adoption of**  
1478 **optional plan -- Procedure.**

1479 (1) A county legislative body may initiate the process of adopting an optional plan by:

1480 (a) adopting a resolution of intent as provided in Subsection (2)(a);

1481 (b) adopting a resolution to submit to the voters the question of whether a study committee  
1482 should be established as provided in Subsection (3)(a); or

1483 (c) adopting a resolution to approve the establishment of a study committee as provided  
1484 in Subsection (4)(a).



1485 (2) (a) A county legislative body may adopt a resolution indicating its intent to propose  
1486 the adoption of an optional plan.

1487 (b) Each resolution under Subsection (2)(a) shall:

1488 (i) contain a general description of the proposed optional plan;

1489 (ii) set a public hearing or series of public hearings on the proposed optional plan; and

1490 (iii) require that reasonable notice be given of the public hearing or series of public  
1491 hearings.

1492 (c) A county legislative body may appoint an advisory committee to assist it in preparing  
1493 the optional plan that the county legislative body intends to propose for adoption.

1494 (d) Each county legislative body adopting a resolution under Subsection (2)(a) shall:

1495 (i) hold a public hearing or series of public hearings, as the county legislative body  
1496 determines, on the proposed optional plan beginning no less than 15 days after adoption of the  
1497 resolution;

1498 (ii) beginning the day after the resolution is adopted, maintain at least three complete  
1499 copies of the proposed optional plan at the office of the county clerk for inspection and copying  
1500 by the public; and

1501 (iii) in each notice or publication of the public hearing or series of public hearings, refer  
1502 to the complete proposed optional plan and its availability for inspection and copying in the county  
1503 clerk's office.

1504 (e) (i) At the conclusion of the public hearing or series of hearings required under  
1505 Subsection (2)(d)(i), a county legislative body may adopt a resolution recommending the adoption  
1506 of the proposed optional plan by registered voters.

1507 (ii) Before adopting a resolution under Subsection (2)(e)(i), a county legislative body may  
1508 modify the proposed optional plan.

1509 (iii) Each resolution under Subsection (2)(e)(i) shall provide for submitting the proposed  
1510 optional plan to the voters at an election held under Section [~~17-35a-204~~] 17-52-206.

1511 (f) Failure to adopt a resolution under Subsection (2)(e)(i) within six months of the  
1512 adoption of a resolution under Subsection (2)(a) shall be considered a rejection of the proposed  
1513 optional plan.

1514 (g) A county legislative body may reconsider its action in proposing an optional plan under  
1515 this Subsection (2) and terminate the process to adopt the optional plan if the reconsideration and

1516 termination occur:

1517 (i) within six months after the adoption of a resolution under Subsection (2)(e)(i); and

1518 (ii) no later than six months before the date on which an election under Section

1519 ~~[17-35a-204]~~ 17-52-206 is scheduled.

1520 (3) (a) As an alternative to the procedure under Subsection (2), a county legislative body  
1521 may adopt a resolution to submit to the registered voters of the county the question of whether a  
1522 study committee should be established.

1523 (b) Each resolution adopted under Subsection (3)(a) shall:

1524 (i) require the question to be submitted to the registered voters of the county at a general  
1525 or special election, as the county legislative body determines, no less than 90 days and no more  
1526 than 180 days after adoption of the resolution under Subsection (3)(a);

1527 (ii) specify the number of members of the proposed study committee, subject to Subsection  
1528 ~~[17-35a-303]~~ 17-52-303(1)(a), and whether the members are to be elected or appointed; and

1529 (iii) if the members are to be elected, provide procedures for the nonpartisan nomination  
1530 of the members of the proposed study committee and their nonpartisan election at the same  
1531 election at which the question of the establishment of the study committee is submitted.

1532 (c) If the members of the proposed study committee are to be appointed, their appointment  
1533 shall be governed by Section ~~[17-35a-301]~~ 17-52-301.

1534 (4) (a) As an alternative to the procedures under Subsections (2) and (3), a county  
1535 legislative body may adopt a resolution approving the establishment of a study committee with  
1536 appointed members.

1537 (b) Each resolution under Subsection (4)(a) shall:

1538 (i) specify the number of members of the study committee, subject to Subsection  
1539 ~~[17-35a-303]~~ 17-52-303(1)(a); and

1540 (ii) provide for the appointment of the members as provided in Section ~~[17-35a-301]~~  
1541 17-52-301.

1542 Section 80. Section **17-52-203**, which is renumbered from Section 17-35a-203 is  
1543 renumbered and amended to read:

1544 ~~[17-35a-203]~~. **17-52-203. Registered voter initiation of adoption of optional**  
1545 **plan -- Procedure.**

1546 (1) Registered voters of a county may initiate the process of adopting an optional plan by:

- 1547 (a) filing copies of a proposed optional plan, as provided in Subsection (2)(c), in  
1548 anticipation of filing a petition under Subsection (2)(a); or
- 1549 (b) filing a petition under Subsection (3).
- 1550 (2) (a) Registered voters of a county may file a petition requiring the county legislative  
1551 body to submit a proposed optional plan to the registered voters of the county.
- 1552 (b) Each petition under Subsection (2)(a) shall:
- 1553 (i) be signed by registered voters residing in the county equal in number to at least 15%  
1554 of the total number of votes cast in the county at the most recent election for governor;
- 1555 (ii) contain a general description of the proposed optional plan;
- 1556 (iii) indicate that a complete copy of the proposed optional plan is available for inspection  
1557 and copying at the county clerk's office;
- 1558 (iv) designate up to five of the petition signers as sponsors, one of whom shall be  
1559 designated as the contact sponsor, with the mailing address and telephone number of each; and
- 1560 (v) be filed in the office of the clerk of the county in which the petition signers reside.
- 1561 (c) Before circulating a petition under Subsection (2)(a) for signature, the petition sponsors  
1562 shall file with the county clerk at least three complete copies of the proposed optional plan that is  
1563 the subject of the petition.
- 1564 (d) A county legislative body may not alter an optional plan proposed under this  
1565 Subsection (2).
- 1566 (e) Within 30 days after the county clerk's receipt of the attorney general statement under  
1567 Section [~~17-35a-203.5~~] 17-52-204 with respect to a petition certified under Subsection  
1568 (4)(a)(ii)(A), each county legislative body shall establish the date for an election to be held as  
1569 provided under Section [~~17-35a-204~~] 17-52-206.
- 1570 (3) (a) Registered voters of a county may file a petition requiring the county legislative  
1571 body to adopt a resolution for the establishment of a study committee.
- 1572 (b) Each petition under Subsection (3)(a) shall:
- 1573 (i) request the county legislative body to choose between:
- 1574 (A) adopting a resolution that establishes a study committee with members appointed  
1575 under Section [~~17-35a-301~~] 17-52-301; or
- 1576 (B) adopting a resolution submitting to the county's registered voters the question of  
1577 whether a study committee should be established;

1578 (ii) be signed by registered voters residing in the county equal in number to at least 10%  
1579 of the total number of votes cast in the county at the most recent election for governor;

1580 (iii) designate up to five of the petition signers as sponsors, one of whom shall be  
1581 designated as the contact sponsor, with the mailing address and telephone number of each; and

1582 (iv) be filed in the office of the clerk of the county in which the petition signers reside.

1583 (c) (i) Within 90 days of the certification of the petition under Subsection (4)(a)(ii)(A), the  
1584 county legislative body shall hold a public hearing or series of public hearings, as the county  
1585 legislative body determines, on the petition.

1586 (ii) The county legislative body shall give reasonable notice of the public hearing or series  
1587 of public hearings under Subsection (3)(c)(i).

1588 (d) (i) At the conclusion of the public hearing or series of public hearings required under  
1589 Subsection (3)(c)(i), the county legislative body shall:

1590 (A) adopt a resolution approving the establishment of a study committee with members  
1591 appointed under Section [~~17-35a-301~~] 17-52-301 and specifying the number of members to be  
1592 appointed, subject to Subsection [~~17-35a-303~~] 17-52-303(1)(a); or

1593 (B) adopt a resolution submitting to the county's registered voters the question of whether  
1594 a study committee under Section [~~17-35a-301~~] 17-52-301 should be established.

1595 (ii) Each resolution under Subsection (3)(d)(i)(B) shall comply with the requirements of  
1596 Subsection [~~17-35a-202~~] 17-52-202(3)(b).

1597 (4) (a) Within 30 days of the filing of a petition under Subsection (2)(a) or (3)(a) or an  
1598 amended or supplemental petition under Subsection (4)(b), the county clerk shall:

1599 (i) determine whether the petition or amended or supplemental petition has been signed  
1600 by the required number of registered voters; and

1601 (ii) (A) if so:

1602 (I) certify the petition or amended or supplemental petition and deliver it to the county  
1603 legislative body; and

1604 (II) notify in writing the contact sponsor of the certification; or

1605 (B) if not, reject the petition or the amended or supplemental petition and notify in writing  
1606 the county legislative body and the contact sponsor of the rejection and the reasons for the  
1607 rejection.

1608 (b) If a county clerk rejects a petition or an amended or supplemental petition under

1609 Subsection (4)(a)(ii)(B), the petition may be amended or supplemented or an amended or  
1610 supplemental petition may be further amended or supplemented with additional signatures and  
1611 refiled within 20 days of the date of rejection.

1612 (5) With the unanimous approval of petition sponsors, a petition filed under Subsection  
1613 (2)(a) or (3) may be withdrawn at any time within 90 days after petition certification but no later  
1614 than 45 days before an election under Section [~~17-35a-204~~] 17-52-206 or Subsection (3)(d)(i)(B)  
1615 if:

1616 (a) the petition notified signers in conspicuous language that the petition sponsors are  
1617 authorized to withdraw the petition; and

1618 (b) there are at least three sponsors of the petition.

1619 Section 81. Section **17-52-204**, which is renumbered from Section 17-35a-203.5 is  
1620 renumbered and amended to read:

1621 [~~17-35a-203.5~~]. **17-52-204. Attorney general review of proposed optional plan**  
1622 **-- Conflict with statutory or constitutional provisions -- Processing of optional plan after**  
1623 **attorney general review.**

1624 (1) The county clerk shall send to the attorney general a copy of each proposed optional  
1625 plan within ten days after:

1626 (a) for an optional plan proposed in a resolution adopted under Subsection [~~17-35a-202~~]  
1627 17-52-202(2)(e), adoption of the resolution;

1628 (b) for an optional plan proposed by registered voters under Section [~~17-35a-203~~]  
1629 17-52-203:

1630 (i) the filing of a request for attorney general review under Subsection (6); or

1631 (ii) if the optional plan has not already been reviewed by the attorney general pursuant to  
1632 a request under Subsection (6), certification of a petition under Subsection [~~17-35a-203~~]

1633 17-52-203(4)(a)(ii)(A).

1634 (2) Within 45 days after receipt of the proposed optional plan from the county clerk under  
1635 Subsection (1), the attorney general shall send a written report to the county clerk containing the  
1636 information required under Subsection (3).

1637 (3) Each report from the attorney general under Subsection (2) shall:

1638 (a) state the attorney general's opinion as to whether implementation of the optional plan  
1639 as proposed would result in a violation of any applicable statutory or constitutional provision;

- 1640 (b) if the attorney general concludes that a violation would result:
- 1641 (i) identify specifically each statutory or constitutional provision that would be violated
- 1642 by implementation of the optional plan as proposed;
- 1643 (ii) identify specifically each provision or feature of the proposed optional plan that would
- 1644 result in a statutory or constitutional violation if the plan is implemented as proposed;
- 1645 (iii) state whether, in the attorney general's opinion, any of the provisions or features
- 1646 identified in Subsection (3)(b)(ii) are so integral to the proposed optional plan that having
- 1647 previously changed the specified provision or feature to avoid the violation would have affected
- 1648 the decision of a legislative body member or study committee member who favored the proposed
- 1649 optional plan or a reasonable petitioner who signed a petition proposing the optional plan; and
- 1650 (iv) if all the provisions or features identified in Subsection (3)(b)(ii) do not meet the
- 1651 standard of Subsection (3)(b)(iii), recommend how the proposed optional plan may be amended
- 1652 to avoid the statutory or constitutional violation.
- 1653 (4) (a) If the attorney general's statement under Subsection (3) identifies provisions or
- 1654 features under Subsection (3)(b)(ii) that meet the standard of Subsection (3)(b)(iii), the proposed
- 1655 optional plan may not be presented to the voters under Section [~~17-35a-204~~] 17-52-206, except
- 1656 that:
- 1657 (i) for an optional plan proposed by a resolution under Subsection [~~17-35a-202~~]
- 1658 17-52-202(2)(e), the county legislative body may amend the optional plan to avoid the violation
- 1659 and then adopt a new resolution under Subsection [~~17-35a-202~~] 17-52-202(2)(e) that shall be
- 1660 treated as any other resolution under that subsection; and
- 1661 (ii) for an optional plan proposed in a study committee report under Subsection
- 1662 [~~17-35a-303~~] 17-52-303(3)(d), the study committee may amend the optional plan to avoid the
- 1663 violation and then adopt a new report under Subsection [~~17-35a-303~~] 17-52-303(3)(d) that will be
- 1664 treated as any other report under that subsection.
- 1665 (b) (i) If the attorney general's statement under Subsection (3) identifies provisions or
- 1666 features under Subsection (3)(b)(ii) that do not meet the standard of Subsection (3)(b)(iii), the
- 1667 optional plan may be amended to avoid the statutory or constitutional violations and then:
- 1668 (A) submitted to the voters at an election under Section [~~17-35a-204~~] 17-52-206, if the
- 1669 optional plan is proposed in a resolution adopted under Subsection [~~17-35a-202~~] 17-52-202(2)(e),
- 1670 a petition that has been certified under Subsection [~~17-35a-203~~] 17-52-203(4)(a)(ii)(A), or a study

1671 committee report filed under Subsection [~~17-35a-303~~] 17-52-303(3)(d); or

1672 (B) the subject of a petition that is circulated for signatures under Subsection [~~17-35a-203~~]  
1673 17-52-203(2), if the attorney general's statement results from a request under Subsection (6).

1674 (ii) Each amendment to an optional plan under Subsection (4)(b)(i) shall be made by:

1675 (A) for an optional plan proposed in a resolution adopted under Subsection [~~17-35a-202~~]  
1676 17-52-202(2)(e), the county legislative body;

1677 (B) for an optional plan proposed in a petition under Section [~~17-35a-203~~] 17-52-203, the  
1678 petition sponsors; and

1679 (C) for an optional plan proposed in a study committee report filed under Subsection  
1680 [~~17-35a-303~~] 17-52-303(3)(d), the study committee.

1681 (5) If the attorney general's statement under Subsection (3) does not identify any provisions  
1682 or features of the proposed optional plan that, if implemented, would violate a statutory or  
1683 constitutional provision, the proposed optional plan may be:

1684 (a) submitted to the voters at an election under Section [~~17-35a-204~~] 17-52-206, if the  
1685 optional plan is proposed in a resolution adopted under Subsection [~~17-35a-202~~] 17-52-202(2)(e),  
1686 a petition that has been certified under Subsection [~~17-35a-203~~] 17-52-203(4)(a)(ii)(A), or a study  
1687 committee report filed under Subsection [~~17-35a-303~~] 17-52-303(3)(d); or

1688 (b) the subject of a petition that is circulated for signatures under Subsection [~~17-35a-203~~]  
1689 17-52-203(2), if the attorney general's statement results from a request under Subsection (6).

1690 (6) The attorney general review required under this section for each proposed optional plan  
1691 may be obtained in conjunction with the filing of a proposed optional plan under Subsection  
1692 [~~17-35a-203~~] 17-52-203(1)(a) by filing a request for attorney general review signed by at least 100  
1693 registered voters residing in the county.

1694 Section 82. Section **17-52-205**, which is renumbered from Section 17-35a-203.7 is  
1695 renumbered and amended to read:

1696 [~~17-35a-203.7~~]. **17-52-205. Voter information pamphlet.**

1697 (1) In anticipation of an election under Section [~~17-35a-204~~] 17-52-206, the county  
1698 legislative body may prepare a voter information pamphlet to inform the public of the proposed  
1699 optional plan.

1700 (2) In preparing a voter information pamphlet under this section, the county legislative  
1701 body may:

1702 (a) allow proponents and opponents of the proposed optional plan to provide written  
1703 statements to be included in the pamphlet; and

1704 (b) use as a guideline the provisions of Title 20A, Chapter 7, Part 7, Voter Information  
1705 Pamphlet.

1706 (3) Each county legislative body preparing a voter information pamphlet under this section  
1707 shall cause the publication and distribution of the pamphlet in a manner determined by the county  
1708 legislative body to be adequate.

1709 Section 83. Section **17-52-206**, which is renumbered from Section 17-35a-204 is  
1710 renumbered and amended to read:

1711 ~~[17-35a-204]~~. **17-52-206. Election on proposed optional plan -- Procedure.**

1712 (1) Subject to Section ~~[17-35a-203.5]~~ 17-52-204, the county legislative body shall hold an  
1713 election if an optional plan is proposed:

1714 (a) by a resolution adopted under Subsection ~~[17-35a-202]~~ 17-52-202(2)(e);

1715 (b) in a petition filed under Subsection ~~[17-35a-203]~~ 17-52-203(2)(a) that is certified under  
1716 Subsection ~~[17-35a-203]~~ 17-52-203(4)(a)(ii)(A); or

1717 (c) in a study committee report filed under Subsection ~~[17-35a-303]~~ 17-52-303(3)(d).

1718 (2) Each election under Subsection (1) shall be held at the next ~~[regular general or~~  
1719 ~~municipal general]~~ special election date under Subsection 20A-1-204(1)(a) that is no less than two  
1720 months after the county clerk's receipt of the attorney general statement under Section  
1721 ~~[17-35a-203.5]~~ 17-52-204.

1722 (3) The county legislative body shall prepare the ballot for each election under Subsection  
1723 (1) so that the question on the ballot:

1724 (a) clearly, accurately, and impartially presents the proposition to be voted on; and

1725 (b) does not constitute an argument or create prejudice for or against the proposition.

1726 (4) The county legislative body shall:

1727 (a) cause the complete text of the proposed optional plan to be published in a newspaper  
1728 of general circulation within the county at least once during two different calendar weeks within  
1729 the 30-day period immediately before the date of the election under Subsection (1);

1730 (b) make a complete copy of the optional plan available free of charge to any member of  
1731 the public who requests a copy; and

1732 (c) if the optional plan is proposed by a study committee report filed under Subsection



1733 [~~17-35a-303~~] 17-52-303(3)(d), make a complete copy of the study committee's report available free  
1734 of charge to any member of the public who requests a copy.

1735 (5) If an optional plan proposed as a result of a process initiated by the county legislative  
1736 body and an optional plan proposed as a result of a process initiated by registered voters are both  
1737 scheduled for the same election:

1738 (a) both proposals shall appear on the same ballot;

1739 (b) a voter may vote for or against each proposal; and

1740 (c) if both proposals receive a majority vote of those voting, the proposal with more votes  
1741 shall prevail and the other shall be considered rejected.

1742 Section 84. Section **17-52-207** is enacted to read:

1743 **17-52-207. Election of officers under optional plan.**

1744 If an optional plan is adopted by voters at an election under Section 17-52-206, the elected  
1745 county officers specified in the plan shall be elected according to the procedure and schedule  
1746 established under Title 20A, Election Code, for the election of county officers.

1747 Section 85. Section **17-52-301**, which is renumbered from Section 17-35a-301 is  
1748 renumbered and amended to read:

1749 **Part 3. Study Committee**

1750 [~~17-35a-301~~]. **17-52-301. Procedure for appointing members to study**  
1751 **committee.**

1752 (1) Each appointed member of a study committee shall be appointed by an appointment  
1753 council as provided in this section.

1754 (2) (a) The county legislative body shall convene a meeting of the five members of the  
1755 appointment council referred to in Subsections [~~17-35a-102~~] 17-52-101(1)(a), (b), (c), (d), and (e),  
1756 within ten days [of] after:

1757 (i) the adoption of a resolution under Subsection [~~17-35a-202~~] 17-52-202(4)(a) or  
1758 [~~17-35a-203~~] 17-52-203(3)(d)(i)(A); or

1759 (ii) the canvass of an election pursuant to a resolution adopted under Subsection  
1760 [~~17-35a-202~~] 17-52-202(3)(a) or [~~17-35a-203~~] 17-52-203(3)(d)(i)(B) if:

1761 (A) the resolution specified that study committee members would be appointed; and

1762 (B) a majority of those voting voted in favor of establishing a study committee.

1763 (b) Within ten days of the convening of the first meeting under Subsection (2)(a), the five

1764 members of the appointment council shall designate the remaining four members referred to in  
1765 Subsection [~~17-35a-102~~] 17-52-101(1)(f).

1766 (3) (a) Within 30 days of the designation of the remaining four members under Subsection  
1767 (2)(b), the appointment council shall:

- 1768 (i) appoint the members to the study committee; and
- 1769 (ii) notify in writing the appointees and the county legislative body of the appointments.

1770 (b) In making appointments to the study committee, the appointment council shall work  
1771 to achieve a broadly representative membership.

1772 (c) The appointment council may not appoint a person to the study committee unless that  
1773 person:

- 1774 (i) is a registered voter in the county whose form of government will be studied by the  
1775 study committee; and
- 1776 (ii) does not hold any public office or employment other than membership on the  
1777 appointment council.

1778 Section 86. Section **17-52-302**, which is renumbered from Section 17-35a-302 is  
1779 renumbered and amended to read:

1780 [~~17-35a-302~~]. **17-52-302. Convening of first meeting of study committee.**

1781 The county legislative body shall convene the first meeting of the study committee within  
1782 ten days of:

- 1783 (1) receipt of notification of the study committee members' appointment under Subsection  
1784 [~~17-35a-301~~] 17-52-301(3)(a); or
- 1785 (2) the canvass of an election at which study committee members were elected pursuant  
1786 to a resolution adopted under Subsection [~~17-35a-202~~] 17-52-202(3)(a) or [~~17-35a-203~~]  
1787 17-52-203(3)(d)(i)(B).

1788 Section 87. Section **17-52-303**, which is renumbered from Section 17-35a-303 is  
1789 renumbered and amended to read:

1790 [~~17-35a-303~~]. **17-52-303. Study committee -- Members -- Powers and duties**  
1791 **-- Report -- Services provided by county.**

- 1792 (1) (a) Each study committee shall consist of at least seven but no more than 11 members.
- 1793 (b) A member of a study committee may not receive compensation for service on the  
1794 committee.

1795 (c) The county legislative body shall reimburse each member of a study committee for  
1796 necessary expenses incurred in performing the member's duties on the study committee.

1797 (2) A study committee may:

1798 (a) adopt rules for its own organization and procedure and to fill a vacancy in its  
1799 membership;

1800 (b) establish advisory boards or committees and include on them persons who are not  
1801 members of the study committee; and

1802 (c) request the assistance and advice of any officers or employees of any agency of state  
1803 or local government.

1804 (3) Each study committee shall:

1805 (a) study the form of government within the county and compare it with other forms  
1806 available under this chapter;

1807 (b) determine whether the administration of local government in the county could be  
1808 strengthened, made more clearly responsive or accountable to the people, or significantly improved  
1809 in the interest of economy and efficiency by a change in the form of county government;

1810 (c) hold public hearings and community forums and other means the committee considers  
1811 appropriate to disseminate information and stimulate public discussion of the committee's  
1812 purposes, progress, and conclusions; and

1813 (d) file a written report of its findings and recommendations with the county legislative  
1814 body no later than one year after the convening of its first meeting under Section [~~17-35a-302~~]  
1815 17-52-302.

1816 (4) Each study committee report under Subsection (3)(d) shall include:

1817 (a) the study committee's recommendation as to whether the form of county government  
1818 should be changed to an optional form authorized under this chapter;

1819 (b) if the study committee recommends changing the form of government, a complete  
1820 detailed draft of a proposed plan to change the form of county government, including all necessary  
1821 implementing provisions; and

1822 (c) any additional recommendations the study committee considers appropriate to improve  
1823 the efficiency and economy of the administration of local government within the county.

1824 (5) (a) If the study committee's report recommends a change in the form of county  
1825 government, the study committee may conduct additional public hearings after filing the report

1826 under Subsection (3)(d) and, following the hearings and subject to Subsection (5)(b), alter the  
1827 report.

1828 (b) Notwithstanding Subsection (5)(a), the study committee may not make an alteration  
1829 to the report:

1830 (i) that would recommend the adoption of an optional form different from that  
1831 recommended in the original report; or

1832 (ii) within the 120-day period before the election under Section [~~17-35a-204~~] 17-52-206.

1833 (6) Each meeting held by the study committee shall be open to the public.

1834 (7) The county legislative body shall provide for the study committee:

1835 (a) suitable meeting facilities;

1836 (b) necessary secretarial services;

1837 (c) necessary printing and photocopying services;

1838 (d) necessary clerical and staff assistance; and

1839 (e) adequate funds for the employment of independent legal counsel and professional  
1840 consultants that the study committee reasonably determines to be necessary to help the study  
1841 committee fulfill its duties.

1842 Section 88. Section **17-52-401**, which is renumbered from Section 17-35a-401 is  
1843 renumbered and amended to read:

1844 **Part 4. Optional Plan**

1845 [~~17-35a-401~~]. **17-52-401. Contents of proposed optional plan.**

1846 (1) Each optional plan proposed under this chapter shall:

1847 (a) [~~specify~~] propose the adoption of one of the [~~optional form~~] forms of county  
1848 government [~~that is being proposed~~] listed in Subsection 17-52-402(1)(a);

1849 (b) contain detailed provisions relating to the transition from the existing form of county  
1850 government to the form proposed in the optional plan, including provisions relating to the:

1851 (i) election or appointment of officers specified in the optional plan for the new form of  
1852 county government;

1853 (ii) continuity of existing offices and officers;

1854 (iii) continuity of existing ordinances and regulations;

1855 (iv) continuation of pending legislative, administrative, or judicial proceedings;

1856 (v) making of interim and temporary appointments; and

1857 (vi) preparation, approval, and adjustment of necessary budget appropriations; and  
1858 (c) notwithstanding any other provision of this title and except with respect to an optional  
1859 plan that proposes the adoption of the county commission or expanded county commission form  
1860 of government, provide that, with respect to the county budget, the county auditor's role is to be  
1861 the budget officer and to project county revenues, the county executive's role is to propose the  
1862 budget, and the county legislative body's role is to adopt the budget.

1863 (2) Subject to Subsection (3), an optional plan may include provisions that are considered  
1864 necessary or advisable to the effective operation of the proposed optional plan.

1865 (3) An optional plan may not include any provision that is inconsistent with or prohibited  
1866 by the Utah Constitution or any statute.

1867 (4) Each optional plan proposing to change the form of government to a form under  
1868 Section [~~17-35a-501~~] 17-52-503, [~~17-35a-502~~] 17-52-504, [~~17-35a-503~~] 17-52-505, or  
1869 [~~17-35a-504~~] 17-52-506 shall:

1870 (a) provide for the same executive and legislative officers as are specified in the applicable  
1871 section for the form of government being proposed by the optional plan;

1872 [~~(a)~~] (b) provide for the election of the county council;

1873 (c) specify the number of county council members, which shall be an odd number from  
1874 three to seven;

1875 [~~(b)~~] (d) specify whether the members of the county council are to be elected from  
1876 districts, at large, or by a combination of at large and by district;

1877 [~~(c)~~] (e) specify county council members' qualifications and terms and whether the terms  
1878 are to be staggered;

1879 [~~(d)~~] state the grounds for and methods of removal of county council members from office;]

1880 [~~(e)~~] (f) contain procedures for filling vacancies on the county council, consistent with the  
1881 provisions of Sections 17-5-104 and 20A-1-508; and

1882 [~~(f)~~] (g) state the compensation, if any, of county council members and procedures for  
1883 prescribing and changing compensation.

1884 (5) Each optional plan proposing to change the form of government to the expanded  
1885 county commission form under Section 17-52-502 shall specify:

1886 (a) whether the county commission shall have five or seven members;

1887 (b) the terms of office for county commission members and whether the terms are to be

1888 staggered;

1889 (c) whether members of the county commission are to be elected from districts, at large,  
1890 or by a combination of at large and from districts; and

1891 (d) if any members of the county commission are to be elected from districts, the district  
1892 residency requirements for those commission members.

1893 Section 89. Section **17-52-402**, which is renumbered from Section 17-35a-402 is  
1894 renumbered and amended to read:

1895 **[17-35a-402]. 17-52-402. Plan may propose optional forms of county**  
1896 **government -- County executive -- Plan may propose change of structural form.**

1897 (1) (a) An optional plan may propose changing the form of county government to:

1898 [(a)] (i) the county [commissioner] commission form under [Title 17, Chapter 5, Part 1,  
1899 County Commissioner Form of Government] Section 17-52-501;

1900 (ii) the expanded county commission form under Section 17-52-502;

1901 [(b)] (iii) the executive and chief administrative officer-council form under Section  
1902 [17-35a-501] 17-52-503;

1903 [(c)] (iv) the county executive and council form under Section [17-35a-502] 17-52-504;

1904 [(d)] (v) the council-manager form under Section [17-35a-503] 17-52-505; or

1905 [(e)] (vi) the council and county administrative officer form under Section [17-35a-504]  
1906 17-52-506.

1907 (b) An optional plan may not:

1908 (i) propose changing the form of government to a form not included in Subsection (1)(a);

1909 (ii) provide for the nonpartisan election of elected officers;

1910 (iii) impose a limit on the number of terms or years that an elected officer may serve; or

1911 (iv) provide for elected officers to be subject to a recall election.

1912 (2) (a) If an optional plan proposes changing the form of county government to a form that  
1913 has a county executive, the county executive may be:

1914 (i) an individual elected at large in the county; or

1915 (ii) a county executive body consisting of at least three members, elected at large or by  
1916 district or a combination of both, as provided in the optional plan.

1917 (b) An optional plan that proposes changing to a form of government with an executive  
1918 body, as provided in Subsection (2)(a)(ii), may divide the executive duties among the members of

1919 the executive body.

1920 (3) In addition to proposing the adoption of any one of the optional forms of county  
1921 government under Subsection (1)(a), an optional plan may also propose the adoption of any one  
1922 of the structural forms of county government provided under Chapter 35b, Part 3, Structural Forms  
1923 of County Government.

1924 Section 90. Section **17-52-403**, which is renumbered from Section 17-35a-403 is  
1925 renumbered and amended to read:

1926 **~~[17-35a-403]~~. 17-52-403. Adoption of optional plan -- Effect of adoption.**

1927 (1) If a proposed optional plan is approved at an election held under Section [~~17-35a-204~~]  
1928 17-52-206:

1929 (a) the proposed optional plan becomes effective according to its terms and at the time  
1930 specified in it, is public record open to inspection by the public, and is judicially noticeable by all  
1931 courts;

1932 (b) the county clerk shall, within ten days of the canvass of the election, file with the  
1933 lieutenant governor a copy of the optional plan, certified by the clerk to be a true and correct copy;

1934 (c) all public officers and employees shall cooperate fully in making the transition between  
1935 forms of county government; and

1936 (d) the county legislative body may enact and enforce necessary ordinances to bring about  
1937 an orderly transition to the new form of government, including any transfer of power, records,  
1938 documents, properties, assets, funds, liabilities, or personnel that are consistent with the approved  
1939 optional plan and necessary or convenient to place it into full effect.

1940 (2) Adoption of an optional plan changing only the form of county government without  
1941 adopting one of the structural forms under Chapter 35b, Part 3, Structural Forms of County  
1942 Government, does not alter or affect the boundaries, organization, powers, duties, or functions of  
1943 any:

1944 (a) school district;

1945 (b) justice court;

1946 (c) independent special district established under Title 17A, Chapter 2, Independent  
1947 Special Districts;

1948 (d) city or town; or

1949 (e) entity created by an interlocal agreement under Title 11, Chapter 13, Interlocal

1950 Cooperation Act.

1951 (3) After the adoption of an optional plan, the county remains vested with all powers and  
1952 duties vested generally in counties by statute.

1953 Section 91. Section **17-52-404**, which is renumbered from Section 17-35a-404 is  
1954 renumbered and amended to read:

1955 ~~[17-35a-404]~~. **17-52-404. Amendment of optional plan.**

1956 (1) Subject to Subsection (2), an optional plan, after going into effect following an election  
1957 held under Section ~~[17-35a-204]~~ 17-52-206, may be amended by an affirmative vote of two-thirds  
1958 of the county legislative body.

1959 (2) Notwithstanding Subsection (1), an amendment to an optional plan in effect may not  
1960 take effect until approved by a majority of registered voters voting in a general or special election  
1961 at which the amendment is proposed, if the amendment changes:

1962 (a) the size or makeup of the legislative body, except for adjustments necessary due to  
1963 decennial reapportionment;

1964 (b) the distribution of powers between the executive and legislative branches of county  
1965 government; or

1966 (c) the status of the county executive or legislative body from full-time to part-time or vice  
1967 versa.

1968 Section 92. Section **17-52-501**, which is renumbered from Section 17-5-101 is renumbered  
1969 and amended to read:

1970 **Part 5. Forms of County Government**

1971 ~~[17-5-101]~~. **17-52-501. County commission form of government.**

1972 (1) Each county operating under the county commission form of government shall [have]  
1973 be governed by a [board of] county [commissioners] commission consisting of three members.

1974 (2) A county commission under a county commission form of government is both the  
1975 county legislative body and the county executive and has the powers, duties, and functions of a  
1976 county legislative body under Chapter 53, Part 2, County Legislative Body, and the powers, duties,  
1977 and functions of a county executive under Chapter 53, Part 3, County Executive.

1978 (3) (a) The term of office of each county commission member is four years.

1979 (b) The terms of county commission members shall be staggered so that two members are  
1980 elected at a regular general election date that alternates with the regular general election date of



1981 the other member.

1982 (c) Each county commission member shall be elected at large.

1983 (4) (a) If two county commission positions are vacant for an election, the positions shall  
1984 be designated "county commission seat A" and "county commission seat B."

1985 (b) Each candidate who files a declaration of candidacy when two positions are vacant  
1986 shall designate on the declaration of candidacy form whether the candidate is a candidate for seat  
1987 A or seat B.

1988 (c) No person may file a declaration of candidacy for, be a candidate for, or be elected to  
1989 two county commission positions in the same election.

1990 Section 93. Section **17-52-502** is enacted to read:

1991 **17-52-502. Expanded county commission form of government.**

1992 (1) Each county operating under an expanded county commission form of government  
1993 shall be governed by a county commission consisting of five or seven members.

1994 (2) A county commission under the expanded county commission form of government is  
1995 both the county legislative body and the county executive and has the powers, duties, and functions  
1996 of a county legislative body under Chapter 53, Part 2, County Legislative Body, and the powers,  
1997 duties, and functions of a county executive under Chapter 53, Part 3, County Executive.

1998 (3) (a) Except as otherwise provided in an optional plan:

1999 (i) the term of office of each county commission member is four years;

2000 (ii) the terms of county commission members shall be staggered so that approximately half  
2001 the members are elected at alternating regular general election dates; and

2002 (iii) each county commission member shall be elected at large.

2003 (4) (a) If multiple at-large county commission positions are vacant for an election, the  
2004 positions shall be designated "county commission seat A," "county commission seat B," and so on  
2005 as necessary for the number of vacant positions.

2006 (b) Each candidate who files a declaration of candidacy when multiple positions are vacant  
2007 shall designate the letter of the county commission seat for which the candidate is a candidate.

2008 (c) No person may file a declaration of candidacy for, be a candidate for, or be elected to  
2009 two county commission positions in the same election.

2010 Section 94. Section **17-52-503**, which is renumbered from Section 17-35a-501 is  
2011 renumbered and amended to read:

2012            ~~[17-35a-501].~~            17-52-503. **County executive and chief administrative**  
2013 **officer-council form of county government.**

2014            (1) A county operating under the form of government known as the "county executive and  
2015 chief administrative officer-council" form shall be governed by the county council, a county  
2016 executive, an appointed chief administrative officer, and such other officers and employees as are  
2017 authorized by law. The optional plan shall provide for the qualifications, time and manner of  
2018 election, term of office, compensation, and removal of the county executive.

2019            (2) The county executive shall be the chief executive officer or body of the county~~[-and~~  
2020 ~~shall:].~~

2021            ~~[(a) direct and organize the management of the county in a manner consistent with the~~  
2022 ~~optional plan;]~~

2023            ~~[(b) carry out programs and policies established by the council;]~~

2024            ~~[(c) faithfully ensure compliance with all applicable laws and county ordinances;]~~

2025            ~~[(d) exercise supervisory and coordinating control over all departments of county~~  
2026 ~~government;]~~

2027            ~~[(e) except as otherwise provided in the optional plan or as otherwise delegated by statute~~  
2028 ~~to the legislative body, appoint, suspend, and remove the directors of all county departments and~~  
2029 ~~all appointive officers of boards and commissions;]~~

2030            ~~[(f) except as otherwise delegated by statute to another county officer, exercise~~  
2031 ~~administrative and auditing control over all funds and assets, tangible and intangible, of the county;~~

2032            ~~———[(g) except as otherwise delegated by statute to another county officer, supervise and direct~~  
2033 ~~centralized budgeting, accounting, personnel management, purchasing, and other service functions~~  
2034 ~~of the county;]~~

2035            ~~[(h) conduct planning studies and make recommendations to the council relating to~~  
2036 ~~financial, administrative, procedural, and operational plans, programs, and improvements in county~~  
2037 ~~government; and]~~

2038            ~~[(i) exercise a power of veto over ordinances enacted by the council, including an item~~  
2039 ~~veto upon budget appropriations, in the manner provided in the optional plan.]~~

2040            (3) The chief administrative officer shall:

2041            (a) be appointed and removed by the county executive, with the approval of the council,  
2042 except that the plan may specifically provide for the appointment and removal of the chief

2043 administrative officer by the council; and

2044 (b) have the qualifications, training, and experience and receive compensation as provided  
2045 in the optional plan.

2046 (4) The chief administrative officer shall be principal staff assistant to the county executive  
2047 and, under the direction and supervision of the county executive, shall:

2048 (a) exercise supervisory control over all functions of the executive branch;

2049 (b) study and make recommendations to the county executive with respect to the  
2050 administration of county affairs and the efficiency and economy of county programs and  
2051 operations;

2052 (c) maintain a continuing review of expenditures and of the effectiveness of departmental  
2053 budgetary controls;

2054 (d) develop systems and procedures, not inconsistent with statutes, for planning,  
2055 programming, budgeting, and accounting for all activities of the county; and

2056 (e) perform any other functions and duties required of him by the optional plan, by any  
2057 applicable statutes or ordinances, or by the county executive.

2058 (5) All powers and duties of the county shall be allocated for administrative and executive  
2059 purposes to departments of the county as designated by the optional plan. Transfers of employees  
2060 and reallocation of powers and duties between departments may be made within budgetary  
2061 constraints by and at the discretion of the county executive, except as otherwise provided in the  
2062 plan or by ordinance.

2063 (6) In the county executive and chief administrative officer-council form of county  
2064 government, the legislative powers of the county shall be vested in the county council, and the  
2065 executive powers of the county shall be vested in the county executive.

2066 (7) A reference in statute or state rule to the "governing body" or the "board of county  
2067 commissioners" of the county, in the county executive and chief administrative officer-council  
2068 form of county government, means:

2069 (a) the county council, with respect to legislative functions, duties, and powers; and

2070 (b) the county executive, with respect to executive functions, duties, and powers.

2071 Section 95. Section **17-52-504**, which is renumbered from Section 17-35a-502 is  
2072 renumbered and amended to read:

2073 **[17-35a-502].            17-52-504. County executive-council form of county**

2074 **government.**

2075 (1) (a) A county operating under the form of government known as the "county  
2076 executive-council" form shall be governed by the county council, a county executive, and such  
2077 other officers and employees as are authorized by law.

2078 (b) The optional plan shall provide for the qualifications, time, and manner of election,  
2079 term of office, compensation, and removal of the county executive.

2080 (2) The county executive shall be the chief executive officer or body of the county [and  
2081 shall have the powers and duties provided in Subsection 17-35a-501(2)].

2082 (3) In the county executive-council form of county government, the legislative powers of  
2083 the county shall be vested in the county council, and the executive powers of the county shall be  
2084 vested in the county executive.

2085 (4) References in any statute or state rule to the "governing body" or the "board of county  
2086 commissioners" of the county, in the county executive-council form of county government, means:

2087 (a) the county council, with respect to legislative functions, duties, and powers; and

2088 (b) the county executive, with respect to executive functions, duties, and powers.

2089 Section 96. Section **17-52-505**, which is renumbered from Section 17-35a-503 is  
2090 renumbered and amended to read:

2091 ~~[17-35a-503].~~ **17-52-505. Council-manager form of county government.**

2092 (1) A county operating under the form of government known as the "council-manager"  
2093 form shall be governed by the county council, a county manager appointed by the council, and such  
2094 other officers and employees as are authorized by law. The optional plan shall provide for the  
2095 qualifications, time and manner of appointment, term of office, compensation, and removal of the  
2096 county manager.

2097 (2) The county manager shall be the administrative head of the county government and  
2098 shall have the powers and duties of a county executive, [~~under Subsection 17-35a-501(2);~~] except  
2099 that the county manager shall not have any power of veto over ordinances enacted by the council.

2100 (3) No member of the council shall directly or indirectly, by suggestion or otherwise,  
2101 attempt to influence or coerce the manager in the making of any appointment or removal of any  
2102 officer or employee or in the purchase of supplies, attempt to exact any promise relative to any  
2103 appointment from any candidate for manager, or discuss directly or indirectly with him the matter  
2104 of specific appointments to any county office or employment. A violation of the foregoing

2105 provisions of this Subsection (3) shall forfeit the office of the offending member of the council.  
2106 Nothing in this section shall be construed, however, as prohibiting the council while in open  
2107 session from fully and freely discussing with or suggesting to the manager anything pertaining to  
2108 county affairs or the interests of the county. Neither manager nor any person in the employ of the  
2109 county shall take part in securing, or contributing any money toward, the nomination or election  
2110 of any candidate for a county office. The optional plan may provide procedures for implementing  
2111 this Subsection (3).

2112 (4) In the council-manager form of county government, the legislative powers of the  
2113 county shall be vested in the county council, and the executive powers of the county shall be vested  
2114 in the county manager.

2115 (5) A reference in statute or state rule to the "governing body" or the "board of county  
2116 commissioners" of the county, in the council-manager form of county government, means:

- 2117 (a) the county council, with respect to legislative functions, duties, and powers; and  
2118 (b) the county manager, with respect to executive functions, duties, and powers.

2119 Section 97. Section **17-52-506**, which is renumbered from Section 17-35a-504 is  
2120 renumbered and amended to read:

2121 **[17-35a-504]. 17-52-506. Council-county administrative officer form of county**  
2122 **government.**

2123 (1) A county operating under the form of government known as the "council-county  
2124 administrative officer" form shall be governed by:

- 2125 (a) a county council;  
2126 (b) a county administrative officer appointed by the county council; and  
2127 (c) other officers and employees that are authorized by law.

2128 (2) (a) The optional plan submitted to the voters shall require that the county council  
2129 establish by ordinance, maintain, and keep filled a permanent position of county administrative  
2130 officer.

2131 (b) The optional plan submitted to the voters shall establish the qualifications, time, and  
2132 manner of employment, term of office, compensation, and procedures for removal of the county  
2133 administrative officer.

2134 (c) The optional plan submitted to the voters shall require that the county administrative  
2135 officer be appointed solely on the basis of his abilities, integrity, and prior experience as related

2136 to the duties of his office.

2137 (d) The optional plan submitted to the voters shall designate the position of county  
2138 administrative officer as either exempt or not exempt from any applicable county merit system.

2139 (3) The county administrative officer shall administer the functions, responsibilities,  
2140 powers, and duties of his office as set forth in the optional plan adopted by the voters, subject to  
2141 the direction and control of the county council, and acting as its agent.

2142 (4) The county council may assign additional functions, responsibilities, powers, and  
2143 duties to the county administrative officer that do not conflict with the functions, responsibilities,  
2144 powers, and duties set forth in the optional plan.

2145 Section 98. Section **17-53-101**, which is renumbered from Section 17-16-2 is renumbered  
2146 and amended to read:

2147 **CHAPTER 53. COUNTY EXECUTIVE, LEGISLATIVE BODY, AND OTHER**  
2148 **OFFICERS**

2149 **Part 1. General Provisions**

2150 ~~[17-16-2].~~ **17-53-101. County officers enumerated.**

2151 (1) The officers of a county are: ~~[three county commissioners,]~~

2152 (a) (i) in a county operating under a county commission or expanded county commission  
2153 form of government, county commission members; or

2154 (ii) in a county operating under one of the other forms of county government under  
2155 Subsection 17-52-402(1)(a), county legislative body members and the county executive, manager,  
2156 or administrative officer;

2157 (b) a county treasurer, a sheriff, a county clerk, a county auditor, a county recorder, a  
2158 county attorney, a district attorney in a county which is part of a prosecution district, a county  
2159 surveyor, and a county assessor~~[,];~~ and

2160 (c) any others provided by law~~[; but in]~~.

2161 (2) Notwithstanding Subsection (1), in counties having a taxable value of less than  
2162 \$100,000,000 the county clerk shall be ex officio auditor of the county and shall perform the duties  
2163 of the office without extra compensation.

2164 Section 99. Section **17-53-102** is enacted to read:

2165 **17-53-102. Officers charged with notice of treasury and claims.**

2166 Each county officer is charged with notice of the condition of the county treasury and of

2167 the extent of the claims against it.

2168 Section 100. Section **17-53-103** is enacted to read:

2169 **17-53-103. Officers term of office.**

2170 Each person elected to a county officer shall take office on the first Monday in January  
2171 following the election and shall hold office for the term for which elected and until a successor is  
2172 elected and has qualified.

2173 Section 101. Section **17-53-104**, which is renumbered from Section 17-5-206 is  
2174 renumbered and amended to read:

2175 **[17-5-206]. 17-53-104. Unauthorized payment or warrant -- Investigation by**  
2176 **another county attorney -- Action to enjoin or recover payment.**

2177 (1) (a) If a county [~~legislative body~~] officer, without authority of law, orders any money  
2178 paid for any purpose, or if any other county officer draws a warrant in the officer's own favor or  
2179 in favor of any other person without being authorized to do so by the county legislative body or  
2180 by law, the county attorney of that county shall request a county attorney from another county to  
2181 investigate whether an unauthorized payment has been ordered or an unauthorized warrant drawn.

2182 (b) If the county attorney requests a county attorney from another county to investigate  
2183 under Subsection (1)(a), the county attorney shall deputize the investigating county attorney.

2184 (2) If an investigating county attorney determines that an unauthorized payment has been  
2185 ordered or that an unauthorized warrant has been drawn, that county attorney may commence and  
2186 prosecute an action in the name of the county:

2187 (a) if the payment has not been made or the warrant paid, to enjoin the payment of the  
2188 unauthorized payment or of the unauthorized warrant; or

2189 (b) if the payment has been made or the warrant paid, to recover from the payee or the  
2190 county officer and the officer's official bondsman the amount paid.

2191 (3) An order of the county legislative body is not necessary in order to maintain an action  
2192 under Subsection (2).

2193 Section 102. Section **17-53-105**, which is renumbered from Section 17-5-216 is  
2194 renumbered and amended to read:

2195 **[17-5-216]. 17-53-105. Vacancy in a county office -- Vacancies in the office of**  
2196 **county attorney or district attorney.**

2197 (1) [A] Except as provided in Subsection (2), a vacancy in a county office shall be filled

2198 as provided in Section 20A-1-508.

2199 (2) A vacancy in the office of county attorney or district attorney shall be filled as provided  
2200 in Sections 20A-1-509.1, 20A-1-509.2, and 20A-1-509.3.

2201 Section 103. Section **17-53-201** is enacted to read:

2202 **Part 2. County Legislative Body**

2203 **17-53-201. General powers and functions of county legislative body.**

2204 Except as expressly provided otherwise in statute, each county legislative body shall  
2205 exercise all legislative powers, have all legislative duties, and perform all legislative functions of  
2206 the county, including those enumerated in this part.

2207 Section 104. Section **17-53-202**, which is renumbered from Section 17-5-102 is  
2208 renumbered and amended to read:

2209 ~~[17-5-102].~~ **17-53-202. Eligibility -- Election.**

2210 Each member of [the board-of] a county [commissioners] legislative body shall:

2211 (1) be [an-elector] a registered voter of the county which [he] the member represents; and  
2212 [must]

2213 (2) have been [such] a registered voter for at least one year immediately preceding [his]  
2214 the member's election[, and he shall be elected by the qualified electors of the county at large].

2215 Section 105. Section **17-53-203**, which is renumbered from Section 17-5-201 is  
2216 renumbered and amended to read:

2217 ~~[17-5-201].~~ **17-53-203. Chair -- Oaths -- Quorum.**

2218 (1) Each county legislative body shall elect one of their number chair.

2219 (2) The chair shall preside at all meetings of the county legislative body, and in case of  
2220 [his] the chair's absence or inability to act, the members present [must] shall, by an order entered  
2221 in their minutes, select one of their number to act as chair temporarily.

2222 (3) Any member of the county legislative body may administer oaths to any person when  
2223 necessary in the performance of [his] official duties.

2224 (4) Not less than [two] a majority of members shall constitute a quorum for the transaction  
2225 of business, and no act of the county legislative body shall be valid or binding unless [two] a  
2226 majority of members [concur] concurs therein.

2227 Section 106. Section **17-53-204**, which is renumbered from Section 17-5-202 is  
2228 renumbered and amended to read:



2229 **[17-5-202]. 17-53-204. Meetings -- At county seat -- Exception.**

2230 (1) (a) The county legislative body [must] shall provide by ordinance for the holding of  
2231 regular meetings of the county legislative body [at the county seat].

2232 (b) The county legislative body may cancel a regular meeting as the county legislative  
2233 body considers appropriate.

2234 (2) (a) Except as provided in Subsection (2)(b), each regular meeting of the county  
2235 legislative body shall be held at the county seat.

2236 (b) If approved by a vote of the county legislative body, a county legislative body may hold  
2237 an occasional meeting outside the county seat as the public business requires.

2238 Section 107. Section **17-53-205**, which is renumbered from Section 17-5-203 is  
2239 renumbered and amended to read:

2240 **[17-5-203]. 17-53-205. Special meetings -- How called -- Business limited.**

2241 (1) If [at any time] the business of the county requires a special meeting of the legislative  
2242 body, such meeting may be ordered by a majority of the legislative body or by the chair [thereof].  
2243 [The]

2244 (2) Each order [must] calling a special meeting shall:

2245 (a) be signed by the members or chair calling [such] the meeting [and must];

2246 (b) be entered in the minutes of the legislative body[ ~~Five days' notice of such meeting~~  
2247 ~~must be given by the clerk to the members not joining in the order. The order must]; and~~

2248 (c) specify the business to be transacted at [such] the meeting[~~, and none].~~

2249 (3) No business other than that specified [shall] in the order may be transacted at [such]  
2250 a special meeting unless all [the] members of the county legislative body are present and give their  
2251 consent [thereto].

2252 (4) The county clerk shall give five days notice of each special meeting to each member  
2253 of a county legislative body that does not join in the order calling the meeting.

2254 Section 108. Section **17-53-206**, which is renumbered from Section 17-5-204 is  
2255 renumbered and amended to read:

2256 **[17-5-204]. 17-53-206. Meetings to be public -- Records and minutes.**

2257 [All meetings] (1) Each meeting of the county legislative body [must be public, and the  
2258 books, records, and accounts must be kept at the office of the clerk, open at all times during usual  
2259 business hours for public inspection] shall comply with Title 52, Chapter 4, Open and Public

2260 Meetings.

2261 (2) The chair and clerk of the county legislative body shall sign the records and minutes  
2262 of the county legislative body.

2263 Section 109. Section **17-53-207**, which is renumbered from Section 17-5-205 is  
2264 renumbered and amended to read:

2265 **[17-5-205]. 17-53-207. Rules and regulations governing legislative body and**  
2266 **transaction of business.**

2267 The county legislative body [~~shall have power to~~] may make and enforce such rules and  
2268 regulations for the government of itself, the preservation of order, and the transaction of business  
2269 as may be necessary.

2270 Section 110. Section **17-53-208**, which is renumbered from Section 17-15-1 is renumbered  
2271 and amended to read:

2272 **[17-15-1]. 17-53-208. Ordinances -- Effective dates -- Publication -- Adoption of**  
2273 **ordinances printed in book form.**

2274 (1) The enacting clause of all ordinances of the county legislative body shall be as follows:  
2275 "The County Legislative Body of [the] \_\_\_\_\_ County [~~of \_\_\_\_\_~~] ordains as follows:"

2276 (2) Every ordinance shall be signed by the [~~chairman~~] chair of the county legislative body  
2277 and attested by the clerk. On the passage of all ordinances the votes of the several members of the  
2278 county legislative body shall be entered on the minutes, and all ordinances shall be entered at  
2279 length in the ordinance book.

2280 (3) (a) No ordinance passed by the county legislative body may take effect within less than  
2281 15 days after its passage.

2282 (b) The legislative body of each county adopting an ordinance shall, before the ordinance  
2283 may take effect:

2284 (i) deposit a copy of the ordinance in the office of the county clerk; and

2285 (ii) (A) publish a short summary of the ordinance, together with a statement that a  
2286 complete copy of the ordinance is available at the county clerk's office and with the name of the  
2287 members voting for and against the ordinance, for at least one publication in:

2288 (I) a newspaper published in and having general circulation in the county, if there is one;

2289 or

2290 (II) if there is none published in the county, in a newspaper of general circulation within

2291 the county; or

2292 (B) post a complete copy of the ordinance in nine public places within the county.

2293 (4) Any ordinance printed by authority of the county legislative body in book form, or any  
2294 general revision of county ordinances printed in book form, may be adopted by an ordinance  
2295 making reference to such printed ordinance or revision if not less than three copies of such  
2296 ordinance or revision are filed in the office of the county clerk at the time of adoption for use and  
2297 examination by the public.

2298 (5) Ordinances establishing rules and regulations for the construction of buildings, the  
2299 installation of plumbing, the installation of electric wiring or other related or similar work, where  
2300 such rules and regulations have been printed as a code in book form, may be adopted by reference  
2301 to such codes if not less than three copies thereof are filed in the office of the county clerk at the  
2302 time of the adoption of such ordinance for use and examination by the public.

2303 (6) Ordinances that in the opinion of the county legislative body are necessary for the  
2304 immediate preservation of the peace, health, or safety of the county and the county's inhabitants  
2305 may, if so provided in the ordinance, take effect immediately upon publication in one issue of a  
2306 newspaper published in and having general circulation in the county, if there is one, and if there  
2307 is none published in the county, then immediately after posting at the courthouse door.

2308 (7) An ordinance may take effect at a later date than provided in this section, if the  
2309 ordinance so provides.

2310 (8) An order entered in the minutes of the county legislative body that an ordinance has  
2311 been duly published or posted shall be prima facie proof of such publication or posting.

2312 Section 111. Section **17-53-209**, which is renumbered from Section 17-5-210 is  
2313 renumbered and amended to read:

2314 **[17-5-210]. 17-53-209. Books to be kept.**

2315 The [board-must] legislative body of each county shall cause to be kept:

2316 (1) [A] a minute [book] record, in which must be recorded all orders and decisions made  
2317 by the [board] county legislative body and the daily proceedings had at all regular and special  
2318 meetings[-];

2319 (2) [An] an allowance [book] record, in which must be recorded all orders for the  
2320 allowance of money from the county treasury, to whom made and on what account, dating,  
2321 numbering, and indexing the same through each year[-];

2322 (3) ~~[A]~~ a road [book] record, containing all proceedings and adjudications relating to the  
2323 establishment, maintenance, charge, and discontinuance of roads and road districts, and all  
2324 contracts and other matters pertaining thereto~~[-]~~;

2325 (4) ~~[A]~~ a franchise [book] record, containing all franchises granted by the board, for what  
2326 purpose, the length of time, and to whom granted, the amount of bond and license tax required or  
2327 other consideration to be paid~~[-]~~;

2328 (5) ~~[An]~~ an ordinance [book] record, in which must be entered all ordinances or laws duly  
2329 passed by the ~~[board:]~~ county legislative body; and

2330 (6) ~~[A]~~ a warrant [book] record, to be kept by the county auditor, in which must be entered  
2331 in the order of drawing all warrants drawn on the treasurer, with their number and reference to the  
2332 order on the minute [book] record, with date, amount, on what account, and the name of the payee.

2333 Section 112. Section **17-53-210**, which is renumbered from Section 17-5-211 is  
2334 renumbered and amended to read:

2335 ~~[17-5-211].~~ **17-53-210. Dividing county into precincts and districts.**

2336 ~~[The]~~ A county legislative [bodies in the several counties have jurisdiction and power to]  
2337 body may divide the county into precincts [and into road, sanitary, and other], districts, or other  
2338 entities as permitted or required by law, and may change [the same] them and create others as  
2339 convenience requires.

2340 Section 113. Section **17-53-211**, which is renumbered from Section 17-5-213 is  
2341 renumbered and amended to read:

2342 ~~[17-5-213].~~ **17-53-211. Supervision of other officers.**

2343 ~~[They]~~ A county legislative body may supervise the official conduct of all other county  
2344 officers and officers of all precincts, districts, and other subdivisions of the county, [(except  
2345 municipal corporations[;]), and see that they faithfully perform their duties, direct prosecutions for  
2346 delinquencies, and, when necessary, require them to renew their official bonds, make reports, and  
2347 present their books and accounts for inspection.

2348 Section 114. Section **17-53-212** is enacted to read:

2349 **17-53-212. Fees for services -- Exceptions.**

2350 The legislative body of each county shall adopt an ordinance establishing fees for services  
2351 provided by each county officer, except:

2352 (1) fees for the recorder, sheriff, and county constables; and

2353 (2) fees established by statute.

2354 Section 115. Section **17-53-213**, which is renumbered from Section 17-5-215 is  
2355 renumbered and amended to read:

2356 **[17-5-215]. 17-53-213. Examination and audit of accounts.**

2357 [They] A county legislative body may examine and audit the accounts of all officers having  
2358 the care, management, collection, or disbursement of moneys belonging to the county or  
2359 appropriated by law or otherwise for its use and benefit.

2360 Section 116. Section **17-53-214**, which is renumbered from Section 17-5-217 is  
2361 renumbered and amended to read:

2362 **[17-5-217]. 17-53-214. Special funds.**

2363 [They] A county legislative body may establish a salary fund and such other county funds  
2364 as ~~[the board may consider]~~ it considers necessary for the proper transaction of the business of the  
2365 county, and may transfer money from one fund to another as the public interest ~~[may require]~~  
2366 requires, except as otherwise specifically provided in statute.

2367 Section 117. Section **17-53-215**, which is renumbered from Section 17-5-220 is  
2368 renumbered and amended to read:

2369 **[17-5-220]. 17-53-215. Seal for county.**

2370 [They] The legislative body of each county shall:

2371 (1) adopt a seal for the county [clerk], the impression of which shall contain the words  
2372 "State of Utah, County [Clerk,] of \_\_\_\_\_." ~~[together with the name of the county in which~~  
2373 ~~the same is to be used]; and~~

2374 (2) file an impression [whereof must be filed] of the seal in the office of the county clerk  
2375 and with the Division of Archives.

2376 Section 118. Section **17-53-216**, which is renumbered from Section 17-5-221 is  
2377 renumbered and amended to read:

2378 **[17-5-221]. 17-53-216. Seal for clerk of district court.**

2379 [They] If a county provides clerk services to that county's district court, the legislative body  
2380 of the county shall:

2381 (1) provide a seal for the clerk of the district court of the county, the impression of which  
2382 shall contain the words "District Court, State of Utah," together with the name of the county; and

2383 (2) file an impression [whereof must be filed] of the seal in the office of the county clerk

2384 and with the Division of Archives.

2385 Section 119. Section **17-53-217**, which is renumbered from Section 17-5-222 is  
2386 renumbered and amended to read:

2387 **[17-5-222]. 17-53-217. Business license fees and taxes -- Application information**  
2388 **to be transmitted to the county assessor.**

2389 (1) For the purpose of this section, "business" means any enterprise carried on for the  
2390 purpose of gain or economic profit, except that the acts of employees rendering services to  
2391 employers are not included in this definition.

2392 (2) The [governing] legislative body of a county may [license] by ordinance provide for  
2393 the licensing of businesses within the unincorporated areas of the county for the purpose of  
2394 regulation and revenue [~~any business within the unincorporated areas of the county~~].

2395 (3) All license fees and taxes shall be uniform in respect to the class upon which they are  
2396 imposed.

2397 (4) The county business licensing agency shall transmit the information from each  
2398 approved business license application to the county assessor within 60 days following the approval  
2399 of the application.

2400 (5) This section may not be construed to enhance, diminish, or otherwise alter the taxing  
2401 power of counties existing prior to the effective date of Chapter 144, Laws of Utah 1988.

2402 Section 120. Section **17-53-218**, which is renumbered from Section 17-5-228 is  
2403 renumbered and amended to read:

2404 **[17-5-228]. 17-53-218. Commanding services of sheriff.**

2405 [They] A county legislative body may direct the sheriff to serve notices, subpoenas,  
2406 citations, or other process issued by the [board] legislative body, and to attend in person or by  
2407 deputy all meetings of the [board] legislative body to preserve order.

2408 Section 121. Section **17-53-219**, which is renumbered from Section 17-5-246 is  
2409 renumbered and amended to read:

2410 **[17-5-246]. 17-53-219. Duties as board of equalization.**

2411 [They] The legislative body of each county shall perform such duties as a county board of  
2412 equalization as are [~~or shall be~~] provided by law.

2413 Section 122. Section **17-53-220**, which is renumbered from Section 17-5-247 is  
2414 renumbered and amended to read:

2415 ~~[17-5-247].~~ **17-53-220.** Auditor statement of county debt.

2416 [They] The legislative body of each county shall have prepared by the auditor under [their]  
2417 its direction prior to the annual meeting for levying taxes a statement showing~~[:-(1) The]~~ the  
2418 indebtedness of the county, funded and floating, stating the amount of each class and the rate of  
2419 interest borne by such indebtedness or any part [thereof] of it.

2420 ~~[(2) A concise statement of all property owned by the county with an estimate of the value~~  
2421 ~~thereof and the amount of cash in the treasury and in its several funds.]~~

2422 Section 123. Section **17-53-221**, which is renumbered from Section 17-5-248 is  
2423 renumbered and amended to read:

2424 ~~[17-5-248].~~ **17-53-221.** Taxation for county purposes.

2425 [They] A county legislative body may by ordinance levy taxes upon the taxable property  
2426 within the county for all county purposes ~~[and may levy taxes upon the taxable property within any~~  
2427 ~~district for the construction and repair of roads and highways and for other district purposes;~~  
2428 ~~provided, that no district tax shall be levied until the proposition to levy the same has been~~  
2429 ~~submitted to a vote of such qualified electors of such districts as shall have paid a property tax~~  
2430 ~~therein in the year next preceding such election and a majority of those voting thereon shall have~~  
2431 ~~voted in favor of such tax].~~

2432 Section 124. Section **17-53-222**, which is renumbered from Section 17-5-255 is  
2433 renumbered and amended to read:

2434 ~~[17-5-255].~~ **17-53-222.** Tax for care, relief, and burial of indigents.

2435 [The] (1) A county legislative body may, if ~~[they consider]~~ it considers it necessary and  
2436 expedient so to do, annually at [their] its session at which the annual tax levy for county purposes  
2437 is fixed and levied, assess and levy a tax for ~~[the following purposes]:~~

2438 [(1)] (a) the care, maintenance, and relief of the indigent sick or dependent poor persons  
2439 having a lawful settlement in the county;

2440 [(2)] (b) the temporary relief of indigent persons not having a lawful settlement in the  
2441 county temporarily residing therein, and for the burial of such indigent persons who [shall] die  
2442 within the county;

2443 [(3)] (c) the erection and maintenance of hospitals, infirmaries, and farms in connection  
2444 [therewith] with Subsections (1)(a) and (b);

2445 [(4)] (d) the employment of a superintendent for such county hospitals[,] and infirmaries,

2446 and any other necessary help [~~therein~~] in them; and

2447 [~~(5)~~] (e) the salary of the county physician for attending the indigent sick or dependent  
2448 poor and other duties as provided by law.

2449 (2) The taxes [~~herein~~] authorized under Subsection (1) shall be assessed, levied, and  
2450 collected in the same manner as other county taxes are assessed, levied, and collected.

2451 Section 125. Section **17-53-223**, which is renumbered from Section 17-5-258 is  
2452 renumbered and amended to read:

2453 **[17-5-258]. 17-53-223. Tax for exhibits encouraging trade.**

2454 [~~The boards~~] A county legislative body may levy a special tax on the taxable property  
2455 within [~~their respective counties~~] the county for the purpose of creating a fund to be used for  
2456 collecting, preparing, and maintaining an exhibit of the products and industries of the county at any  
2457 domestic or foreign exposition, fair, or livestock show for the purpose of encouraging immigration  
2458 and increasing trade in the products of the state and for the purpose of maintaining, conducting,  
2459 and furnishing facilities for livestock or other exhibitions or for the purpose of promoting and  
2460 making water surveys, collecting data relating to the supply, distribution and use of water or the  
2461 necessity for drainage or other reclamation work and the compilation of data or information to  
2462 encourage the conservation of water for the reclamation of lands within the county or counties of  
2463 the state [~~of Utah~~] either by the county or through the instrumentality of a corporation not for  
2464 pecuniary profit, organized for that purpose.

2465 Section 126. Section **17-53-224**, which is renumbered from Section 17-5-263 is  
2466 renumbered and amended to read:

2467 **[17-5-263]. 17-53-224. Ordinances -- Power to enact -- Penalty for violation.**

2468 [~~The~~] (1) A county legislative body may:

2469 (a) pass all ordinances and rules and make all regulations, not repugnant to law, necessary  
2470 for carrying into effect or discharging the powers and duties conferred by this title, and as are  
2471 necessary and proper to provide for the safety, and preserve the health, promote the prosperity,  
2472 improve the morals, peace, and good order, comfort, and convenience of the county and its  
2473 inhabitants, and for the protection of property in the county; [~~and may~~]

2474 (b) enforce obedience to ordinances with fines or penalties as the legislative body  
2475 considers proper[, provided that the punishment of any offense shall be by fine, not to exceed the  
2476 maximum fine for a class B misdemeanor under Section 76-3-301, imprisonment, or by both fine



2477 and imprisonment. ~~The county legislative body may]; and~~

2478 (c) pass ordinances to control air pollution.

2479 (2) Punishment imposed under Subsection (1)(b) shall be by fine, not to exceed the  
2480 maximum fine for a class B misdemeanor under Section 76-3-301, imprisonment, or by both fine  
2481 and imprisonment.

2482 Section 127. Section **17-53-225**, which is renumbered from Section 17-5-272 is  
2483 renumbered and amended to read:

2484 **[17-5-272]. 17-53-225. Rewards for information -- Law enforcement -- Protection**  
2485 **of county property.**

2486 (1) [The] (a) A county legislative body [of each county] may appropriate funds from the  
2487 county treasury for the offering and payment of rewards for information which directly assists in  
2488 the enforcement of law and protection of county property.

2489 (b) The offering and payment of rewards shall be made under conditions and limitations  
2490 as established by the county legislative body.

2491 (2) With the prior approval of the county legislative body, any county officer or agency  
2492 [can] may offer rewards to the same extent and for the same purposes authorized by [this section]  
2493 Subsection (1).

2494 Section 128. Section **17-53-226**, which is renumbered from Section 17-5-273 is  
2495 renumbered and amended to read:

2496 **[17-5-273]. 17-53-226. County may adopt Utah Procurement Code -- Hiring of**  
2497 **professional architect, engineer, or surveyor.**

2498 (1) [The] A county legislative body [of any county] may adopt any or all of the provisions  
2499 of Title 63, Chapter 56, Utah Procurement Code, or the rules promulgated pursuant to that code.

2500 (2) Notwithstanding Subsection (1), the legislative body of each county that engages the  
2501 services of a professional architect, engineer, or surveyor and considers more than one such  
2502 professional for the engagement:

2503 (a) shall consider, as a minimum, in the selection process:

2504 (i) the qualifications, experience, and background of each firm submitting a proposal;

2505 (ii) the specific individuals assigned to the project and the time commitments of each to  
2506 the project; and

2507 (iii) the project schedule and the approach to the project that the firm will take; and

2508 (b) may engage the services of a professional architect, engineer, or surveyor based on the  
2509 criteria under Subsection (2)(a) rather than solely on lowest cost.

2510 Section 129. Section **17-53-227**, which is renumbered from Section 17-15-2 is renumbered  
2511 and amended to read:

2512 ~~[17-15-2].~~ **17-53-227. Investigation by legislative body -- Witnesses -- Hearings.**

2513 ~~[The]~~ (1) A county legislative body may investigate any matter pertaining to the county  
2514 or its business or affairs or any county officer ~~[thereof]~~, and may require the attendance of  
2515 witnesses and take evidence ~~[therein]~~ in its investigations.

2516 (2) At such investigations, any member of the county legislative body may administer  
2517 oaths to witnesses. ~~[Whenever]~~

2518 (3) ~~If the county legislative body [shall have appointed any]~~ appoints a member of its body  
2519 a committee upon any subject or matter and ~~[shall have conferred upon him]~~ confers upon that  
2520 member power to hear or take evidence ~~[therein]~~, such committee shall have the same powers in  
2521 the premises as the county legislative body itself.

2522 Section 130. Section **17-53-301** is enacted to read:

2523 **Part 3. County Executive**

2524 **17-53-301. General powers and functions of county executive.**

2525 (1) The county executive is the chief executive office of the county.

2526 (2) Except as expressly provided otherwise in statute and except as contrary to the powers  
2527 and duties of other county officers expressly provided for in Chapters 16, 17, 18, 19, 20, 21, 22,  
2528 23, and 24, each county executive shall exercise all executive powers, have all executive duties,  
2529 and perform all executive functions of the county, including those enumerated in this part.

2530 Section 131. Section **17-53-302** is enacted to read:

2531 **17-53-302. County executive duties.**

2532 Each county executive shall:

2533 (1) exercise supervisory control over all functions of the executive branch of county  
2534 government;

2535 (2) direct and organize the management of the county in a manner consistent with state  
2536 law, county ordinance, and the county's optional plan of county government;

2537 (3) carry out programs and policies established by the county legislative body;

2538 (4) faithfully ensure compliance with all applicable laws and county ordinances;

2539 (5) exercise supervisory and coordinating control over all departments of county  
2540 government;

2541 (6) except as otherwise vested in the county legislative body by state law or by the optional  
2542 plan of county government, appoint, suspend, and remove the directors of all county departments  
2543 and all appointive officers of boards and commissions;

2544 (7) except as otherwise delegated by statute to another county officer, exercise  
2545 administrative and auditing control over all funds and assets, tangible and intangible, of the county;

2546 (8) except as otherwise delegated by statute to another county officer, supervise and direct  
2547 centralized budgeting, accounting, personnel management, purchasing, and other service functions  
2548 of the county;

2549 (9) conduct planning studies and make recommendations to the county legislative body  
2550 relating to financial, administrative, procedural, and operational plans, programs, and  
2551 improvements in county government;

2552 (10) maintain a continuing review of expenditures and of the effectiveness of departmental  
2553 budgetary controls;

2554 (11) develop systems and procedures, not inconsistent with statute, for planning,  
2555 programming, budgeting, and accounting for all activities of the county;

2556 (12) if the county executive is an elected county executive, exercise a power of veto over  
2557 ordinances enacted by the county legislative body, including an item veto upon budget  
2558 appropriations, in the manner provided by the optional plan of county government; and

2559 (13) perform all other functions and duties required of the executive by state law, county  
2560 ordinance, and the optional plan of county government.

2561 Section 132. Section **17-53-303** is enacted to read:

2562 **17-53-303. Examination and audit of accounts.**

2563 The county executive may examine and audit the accounts of all officers having the care,  
2564 management, collection, or disbursement of moneys belonging to the county or appropriated by  
2565 law or otherwise for its use and benefit.

2566 Section 133. Section **17-53-304** is enacted to read:

2567 **17-53-304. Commanding services of sheriff.**

2568 The county executive may direct the county sheriff to serve notices, subpoenas, citations,  
2569 or other process issued by the executive, and to attend in person or by deputy all meetings

2570 conducted by the executive to preserve order.

2571 Section 134. Section **17-53-305**, which is renumbered from Section 17-5-218 is  
2572 renumbered and amended to read:

2573 **[17-5-218]. 17-53-305. Warrants -- Authority to draw on treasurer.**

2574 [They] The county executive may settle and allow all accounts legally chargeable against  
2575 the county, after [the] their examination [of the same] by the county auditor, and order warrants  
2576 to be drawn on the county treasurer [therefor] for those accounts.

2577 Section 135. Section **17-53-306** is enacted to read:

2578 **17-53-306. Warrants -- Required information -- Payment -- Registration.**

2579 (1) Each warrant drawn by order of the county executive on the county treasurer for current  
2580 expenses during each year shall specify the liability for which it is drawn, when it accrued, and the  
2581 funds from which it is to be paid.

2582 (2) Each warrant shall be paid in the order of presentation to the treasurer.

2583 (3) If the fund is insufficient to pay a warrant, the treasurer shall register the warrant and  
2584 pay it in the order of registration.

2585 (4) Accounts for county charges of every description shall be presented to the auditor and  
2586 county executive to be audited as prescribed in statute.

2587 Section 136. Section **17-53-307**, which is renumbered from Section 17-5-259 is  
2588 renumbered and amended to read:

2589 **[17-5-259]. 17-53-307. County purchasing agent -- Appointment -- Compensation**  
2590 **-- Oath.**

2591 (1) The county executive, with the advice and consent of the county legislative body, in  
2592 each county having a taxable value in excess of \$500,000,000 may appoint a county purchasing  
2593 agent.

2594 (2) The agent shall qualify by taking, subscribing, and filing the constitutional oath and  
2595 giving bond to the county in a sum fixed by the county legislative body.

2596 (3) The county purchasing agent shall, under the direction and supervision of the county  
2597 executive:

2598 (a) negotiate for the purchase of or contract for all supplies and materials required by the  
2599 county;

2600 (b) submit all contracts and purchases negotiated by the purchasing agent under Subsection

2601 (3)(a) to the county legislative body for approval and ratification; and

2602 (c) keep an accurate and complete record of all purchases and a detailed disposition of  
2603 them and, when required by the county legislative body, make a complete and detailed report to  
2604 it of business transacted.

2605 (4) The county executive may exclude from the purchasing agent's responsibility a county  
2606 clerk's duties concerning elections or a sheriff's duties under Section 17-22-8.

2607 Section 137. Section **17-53-308**, which is renumbered from Section 17-15-3 is renumbered  
2608 and amended to read:

2609 **[17-15-3]. 17-53-308. Repair, alteration, or construction of public buildings --**  
2610 **Contracts -- Bids -- Payment and performance bonds -- Retainage.**

2611 (1) (a) [~~Whenever~~] (i) If the county [~~legislative body~~] considers the repair, alteration, or  
2612 construction of any courthouse, jail, hospital, or other public building to be paid for out of the  
2613 general funds of the county, the county executive shall require plans and specifications to be drawn  
2614 up and an estimate of the cost to be made.

2615 (ii) If the estimated cost exceeds \$25,000, the county may not repair, alter, or construct any  
2616 building except through contract let to the low responsive and responsible bidder.

2617 (b) All buildings for which the estimated cost exceeds \$25,000 shall be repaired, altered,  
2618 or constructed by contract let to the low responsive and responsible bidder after publication of  
2619 notice at least once a week for three consecutive weeks in a newspaper of general circulation  
2620 published in the county, or, if there is no such newspaper, then after posting such notice for at least  
2621 20 days in at least five public places in the county.

2622 (c) The county executive may reject any or all bids.

2623 (d) (i) In seeking bids and awarding a contract for the repair, alteration, or construction  
2624 work, the county legislative body may elect to follow the provisions of Title 63, Chapter 56, Utah  
2625 Procurement Code, as the county legislative body considers appropriate under the circumstances  
2626 for specification preparation, source selection, or contract formation.

2627 (ii) The election may be made on a case-by-case basis, unless the county has previously  
2628 adopted the Utah Procurement Code as permitted by Subsection 63-56-2(3)(e).

2629 (iii) If an election is made, it shall be done in an open meeting of the county legislative  
2630 body and the portions of the Utah Procurement Code to be followed for the work under  
2631 consideration shall be specified in the legislative body's action.

2632 (e) (i) This chapter may not be construed to prohibit the county legislative body from  
2633 adopting the procedures of [the] Title 63, Chapter 56, Utah Procurement Code~~[-; however, an]~~.

2634 (ii) An election to adopt the procedures of the code may not excuse the county from  
2635 complying with the requirements to award a contract for work in excess of \$25,000 and to publish  
2636 notice of the intent to award.

2637 (f) The person to whom any contract to erect or repair buildings is awarded shall execute  
2638 bonds under Sections 14-1-18 and 63-56-38.

2639 (g) Nothing in this section may be construed to prohibit a public entity from contracting  
2640 with another public entity under Title 11, Chapter 13, Interlocal Cooperation Act.

2641 (2) Any payment on a contract with a private contractor to erect or repair buildings under  
2642 this section that is retained or withheld shall be retained or withheld and released as provided in  
2643 Section 13-8-5.

2644 Section 138. Section **17-53-309**, which is renumbered from Section 17-15-4 is renumbered  
2645 and amended to read:

2646 **[17-15-4]. 17-53-309. Approval of cost-increase changes in plans and**  
2647 **specifications -- Delegation.**

2648 (1) ~~[Whenever]~~ If the county executive adopts plans and specifications for the alteration,  
2649 construction, or repair of any public building or other public structure, the plans and specifications  
2650 may not be altered or changed in any manner that would increase the cost of altering, constructing,  
2651 or repairing the building or structure, unless the county legislative body, in a regularly scheduled  
2652 open and public meeting, approves the alteration or change in the plans and specifications.

2653 (2) The county legislative body may adopt policies and procedures to delegate authority  
2654 to approve alterations or changes in plans and specifications to a county employee, including the  
2655 county engineer, architect, surveyor, or director of the department or division responsible for the  
2656 work.

2657 Section 139. Section **17-53-310**, which is renumbered from Section 17-15-5 is renumbered  
2658 and amended to read:

2659 **[17-15-5]. 17-53-310. Changes or alterations in contract -- Liability of county.**

2660 (1) ~~[Whenever]~~ If the county executive enters into a contract for the construction,  
2661 alteration, or repair of any public building or other public structure, the contract may be altered or  
2662 changed only:

2663 (a) by vote of the county legislative body made in a regularly scheduled open and public  
2664 meeting; and

2665 (b) ~~[when]~~ if the alteration or change is within the general scope of the contract.

2666 (2) ~~[Whenever any]~~ If a change or alteration in the contract is made:

2667 (a) the particular change or alteration shall be specified in writing; and

2668 (b) the increase or decrease in cost due to the change or alteration shall be established by  
2669 the county executive according to either the provisions of the contract or established principles of  
2670 the construction industry.

2671 (3) (a) The county legislative body may adopt policies and procedures to delegate authority  
2672 for approval of changes or alterations in the contract to a county employee, including the county  
2673 executive, county engineer, architect, surveyor, or director of the department or division  
2674 responsible for the work.

2675 (b) Unless the requirements of this section are met, the county is not liable for any extra  
2676 work done on the buildings or public structures.

2677 Section 140. Section **17-53-311**, which is renumbered from Section 17-5-274 is  
2678 renumbered and amended to read:

2679 ~~[17-5-274]~~. **17-53-311. Contracting for management, maintenance, operation, or**  
2680 **construction of jails.**

2681 (1) (a) With the approval of the sheriff, ~~[the]~~ a county executive may contract with private  
2682 contractors for management, maintenance, operation, and construction of county jails.

2683 (b) ~~[The]~~ A county executive may include a provision in the contract that allows use of a  
2684 building authority created under the provisions of Title 17A, Chapter 3, Part 9, Municipal Building  
2685 Authorities, to construct or acquire a jail facility.

2686 (c) ~~[The]~~ A county executive may include a provision in the contract that requires that any  
2687 jail facility meet any federal, state, or local standards for the construction of jails.

2688 (2) If ~~[the]~~ a county executive contracts only for the management, maintenance, or  
2689 operation of a jail, the county executive shall include provisions in the contract that:

2690 (a) require the private contractor to post a performance bond in the amount set by the  
2691 county legislative body;

2692 (b) establish training standards that must be met by jail personnel;

2693 (c) require the private contractor to provide and fund training for jail personnel so that the

2694 personnel meet the standards established in the contract and any other federal, state, or local  
2695 standards for the operation of jails and the treatment of jail prisoners;

2696 (d) require the private contractor to indemnify the county for errors, omissions,  
2697 defalcations, and other activities committed by the private contractor that result in liability to the  
2698 county;

2699 (e) require the private contractor to show evidence of liability insurance protecting the  
2700 county and its officers, employees, and agents from liability arising from the construction,  
2701 operation, or maintenance of the jail, in an amount not less than those specified in Title 63,  
2702 Chapter 30, Utah Governmental Immunity Act;

2703 (f) require the private contractor to:

2704 (i) receive all prisoners committed to the jail by competent authority; and

2705 (ii) provide them with necessary food, clothing, and bedding in the manner prescribed by  
2706 the governing body; and

2707 (g) prohibit the use of inmates by the private contractor for private business purposes of  
2708 any kind.

2709 (3) A contractual provision requiring the private contractor to maintain liability insurance  
2710 in an amount not less than the liability limits established by Title 63, Chapter 30, Utah  
2711 Governmental Immunity Act, may not be construed as waiving the limitation on damages  
2712 recoverable from a governmental entity or its employees established by that chapter.

2713 Section 141. Section **17-53-312** is enacted to read:

2714 **17-53-312. County resource development committee -- Membership -- Term --**  
2715 **Compensation and expenses -- Duties.**

2716 (1) (a) A county executive may, with the advice and consent of the county legislative body,  
2717 appoint a county resource development committee of three or more members, at least one of which  
2718 shall be a member of the county legislative body.

2719 (b) Each member of a county resource development committee shall be a resident of the  
2720 county.

2721 (2) (a) The term of each member of a county resource development committee shall be two  
2722 years and until a successor has been appointed.

2723 (b) The legislative body of each county with a county resource development committee  
2724 shall provide by ordinance for the filling of a vacancy in the membership of the committee and for



2725 the removal of a member for nonperformance of duty or misconduct.

2726 (3) (a) Each member shall serve without compensation.

2727 (b) The county legislative body may reimburse a member for actual expenses incurred in  
2728 performing the member's duties and responsibilities on the committee, upon presentation of proper  
2729 receipts and vouchers.

2730 (4) The committee may elect such officers from its members as it considers appropriate  
2731 and may, with the consent and approval of the county legislative body, employ an executive  
2732 director for the committee.

2733 (5) The committee shall:

2734 (a) assist in promoting the development of the county's mineral, water, manpower,  
2735 industrial, historical, cultural, and other resources; and

2736 (b) make such recommendations to the county for resource development as the committee  
2737 considers advisable.

2738 (6) The county executive may cooperate and enter into contracts with municipalities, local  
2739 communities, other counties, and the state for the purpose of promoting the development of the  
2740 economic, historical, and cultural resources of the county.

2741 Section 142. Section **21-2-8**, which is renumbered from Section 17-5-214 is renumbered  
2742 and amended to read:

2743 **[17-5-214]. 21-2-8. Fees of county officers.**

2744 (1) As used in this section, "county officer" means all of the county officers enumerated  
2745 in Section 17-16-2 except county recorders, county constables, and county sheriffs.

2746 ~~[(2) The county legislative body shall adopt an ordinance establishing the fees for services~~  
2747 ~~provided by each county officer.]~~

2748 ~~[(3)]~~ (2) (a) Each county officer shall collect, in advance, for exclusive county use and  
2749 benefit:

2750 (i) all fees established by the county legislative body under this section; and

2751 (ii) any other fees authorized or required by law.

2752 (b) As long as the displaced homemaker program is authorized by Section 35A-3-114, the  
2753 county clerk shall:

2754 (i) assess \$20 in addition to whatever fee for a marriage license is established under  
2755 authority of this section; and

2756 (ii) transmit \$20 from each marriage license fee to the Division of Finance to be credited  
2757 to the displaced homemaker program.

2758 (c) As long as the Children's Legal Defense Account is authorized by Section 63-63a-8,  
2759 the county clerk shall:

2760 (i) assess \$10 in addition to whatever fee for a marriage license is established under  
2761 authority of this section and in addition to the \$20 assessed for the displaced homemaker program;  
2762 and

2763 (ii) transmit \$10 from each marriage license fee to the Division of Finance for deposit in  
2764 the Children's Legal Defense Account.

2765 [(4)] (3) This section does not apply to any fees currently being assessed by the state but  
2766 collected by county officers.

2767 Section 143. **Repealer.**

2768 This act repeals:

2769 Section 17-1-1, "**Range,**" "**township,**" "**section**" defined.

2770 Section 17-1-33, **Disputed boundaries -- Determination.**

2771 Section 17-4-1, **Counties are bodies corporate and politic.**

2772 Section 17-4-12, **Citation.**

2773 Section 17-4-13, **Purpose of act.**

2774 Section 17-5-103, **Term of office -- Two vacancies in same election.**

2775 Section 17-5-104, **Vacancies on the County Commission.**

2776 Section 17-5-207, **Breach of duty by commissioners -- Penalty.**

2777 Section 17-5-223, **Destruction of pests.**

2778 Section 17-5-224, **Dogs -- Tax and regulation.**

2779 Section 17-5-225, **Protection of fish and wildlife.**

2780 Section 17-5-226, **Working prisoners.**

2781 Section 17-5-227, **Inspecting and grading merchandise.**

2782 Section 17-5-230, **Explosives.**

2783 Section 17-5-231, **Stationary engineers, examination and licensing -- Boiler inspection.**

2784 Section 17-5-238, **Donations for county purposes.**

2785 Section 17-5-240, **Rooms where building not available.**

2786 Section 17-5-241, **Insurance of buildings and furniture.**

- 2787 Section 17-5-244, Omnibus authority.
- 2788 Section 17-5-249, Cemeteries and burials.
- 2789 Section 17-5-250, Burial of indigents.
- 2790 Section 17-5-251, Farm -- Convalescent and nursing care facilities -- Social services.
- 2791 Section 17-5-252, Transient indigents and insane persons.
- 2792 Section 17-5-253, Lawful settlement, how acquired.
- 2793 Section 17-5-254, Relief of sick persons.
- 2794 Section 17-5-257, County fire department.
- 2795 Section 17-5-260, Powers and duties of purchasing agent.
- 2796 Section 17-5-261, Restriction of powers and duties.
- 2797 Section 17-5-262, Water survey -- Cooperation with Utah Water Users' Association
- 2798 or subsidiary organization.
- 2799 Section 17-5-266, Historic and cultural resource programs.
- 2800 Section 17-5-267, County resource development committee -- Appointment of
- 2801 members -- Terms -- Compensation and expenses -- Vacancies -- Removal of members.
- 2802 Section 17-5-268, County resource development committee -- Election of officers --
- 2803 Employment of executive director.
- 2804 Section 17-5-269, Functions of committee.
- 2805 Section 17-5-270, County resources -- Power of county executives to contract with
- 2806 other authorities.
- 2807 Section 17-35a-101, Title.
- 2808 Section 17-35a-103, Legislative intent.
- 2809 Section 144. Coordination clause.
- 2810 (1) If this bill and S.B. 58, Optional Forms of County Government Amendments, both
- 2811 pass, it is the intent of the Legislature that the amendments in this bill supersede the amendments
- 2812 in S.B. 58.
- 2813 (2) If this bill and S.B. 206, State and Local Amendments, both pass, it is the intent of the
- 2814 Legislature that Sections 17-1a-101 and 17-1a-102, as enacted in S.B. 206, be renumbered to
- 2815 17-50-103 and 17-50-104, respectively, and that references to those sections in S.B. 206 be
- 2816 amended accordingly.

**Legislative Review Note**  
**as of 2-10-00 8:49 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**