

1                                   **OPTIONAL FORMS OF COUNTY GOVERNMENT**

2   **AMENDMENT**

3   2005 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: David L. Thomas**

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7   **LONG TITLE**

8   **General Description:**

9                   This bill modifies a provision relating to the expanded county commission form of  
10 government.

11 **Highlighted Provisions:**

12                   This bill:

13                   ▶ eliminates a conflict with another provision by eliminating the requirement that  
14 county commission members in an expanded county commission form of  
15 government be elected at large.

16 **Monies Appropriated in this Bill:**

17                   None

18 **Other Special Clauses:**

19                   None

20 **Utah Code Sections Affected:**

21 AMENDS:

22                   **17-52-502**, as enacted by Chapter 133, Laws of Utah 2000

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

25                   Section 1. Section **17-52-502** is amended to read:

26                   **17-52-502. Expanded county commission form of government.**

27                   (1) Each county operating under an expanded county commission form of government



28 shall be governed by a county commission consisting of five or seven members.

29 (2) A county commission under the expanded county commission form of government  
30 is both the county legislative body and the county executive and has the powers, duties, and  
31 functions of a county legislative body under Chapter 53, Part 2, County Legislative Body, and  
32 the powers, duties, and functions of a county executive under Chapter 53, Part 3, County  
33 Executive.

34 (3) Except as otherwise provided in an optional plan adopted under this chapter:

35 (a) the term of office of each county commission member is four years;

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

38 (c) each county commission member shall be elected [~~at large~~].

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

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

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

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**Legislative Review Note**  
**as of 11-27-04 2:27 PM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number SB0078**

**Optional Forms of County Government Amendment**

*12-Jan-05*

*2:51 PM*

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**State Impact**

No fiscal impact.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**