

1 **COUNTY OFFICER AMENDMENTS**

2 2005 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Curtis S. Bramble**

6 **LONG TITLE**

7 **General Description:**

8 This bill modifies a provision relating to the consolidation of county offices.

9 **Highlighted Provisions:**

10 This bill:

11 ▶ prohibits the consolidation of the offices of county assessor and county treasurer;

12 and

13 ▶ requires county legislative bodies to separate those two offices if they are

14 consolidated and to provide notice that the offices will be filled at a general

15 election.

16 **Monies Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **17-16-3**, as last amended by Chapters 46 and 146, Laws of Utah 1994

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

25 Section 1. Section **17-16-3** is amended to read:

26 **17-16-3. Consolidation of offices.**

27 (1) The county legislative body may, unless prohibited by Subsection (2), pass an



28 ordinance that:

29 (a) consolidates county offices and establishes the duties of those consolidated offices;

30 (b) separates any previously consolidated offices and reconsolidates them; or

31 (c) separates any previously consolidated offices without reconsolidating them.

32 (2) The county legislative body may not:

33 (a) consolidate the offices of county commissioner, county council member, or county
34 treasurer with the office of county auditor;

35 (b) consolidate the office of county executive with the office of county auditor, unless a
36 referendum approving that consolidation passes; or

37 (c) consolidate the offices of county commissioner, county council member, county
38 executive, county assessor, or county auditor with the office of county treasurer.

39 (3) The county legislative body shall ensure that any ordinance consolidating or
40 separating county offices:

41 (a) is enacted before the February 1 of the year in which county officers are elected;
42 and

43 (b) takes effect on the first Monday in January after the year in which county officers
44 are elected.

45 (4) Each county legislative body shall:

46 (a) [~~separate~~] enact an ordinance by February 1, 2006, separating any county offices
47 that are prohibited from consolidation by this section [~~by March 1, 1994~~]; and

48 (b) publish, by [~~March 7, 1994~~] February 15, 2006, a notice once in a newspaper of
49 general circulation in the county identifying the county offices that will be filled in the
50 November[~~, 1994~~] 2006 election.

Legislative Review Note
as of 2-2-05 4:44 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

Fiscal Note
Bill Number SB0190

County Officer Amendments

08-Feb-05

5:18 PM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst