

**COUNTY OFFICERS AMENDMENTS**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ronda Rudd Menlove**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies provisions relating to county officers.

**Highlighted Provisions:**

This bill:

▶ makes a prohibition against combining the offices of county assessor and county treasurer applicable to only counties of the first and second class;

**H→ ▶ extends a date by which counties must comply with a requirement to separate county offices that are prohibited from being consolidated; ←H** and

▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides an immediate effective date.

**Utah Code Sections Affected:**

AMENDS:

**17-16-3**, as last amended by Chapter 202, Laws of Utah 2005

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

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

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

(1) [The] A county legislative body may, unless prohibited by Subsection (2), pass an ordinance that:



- 28 (a) consolidates county offices and establishes the duties of those consolidated offices;  
 29 (b) separates any previously consolidated offices and reconsolidates them; or  
 30 (c) separates any previously consolidated offices without reconsolidating them.

31 (2) ~~[The]~~ (a) A county legislative body may not:

32 ~~[(a)]~~ (i) consolidate the offices of county commissioner, county council member, or  
 33 county treasurer with the office of county auditor;

34 ~~[(b)]~~ (ii) consolidate the office of county executive with the office of county auditor,  
 35 unless a referendum approving that consolidation passes; or

36 ~~[(c)]~~ (iii) consolidate the offices of county commissioner, county council member,  
 37 county executive, ~~[county assessor,]~~ or county auditor with the office of county treasurer.

38 (b) The legislative body of a county of the first or second class may not consolidate the  
 39 office of county assessor with the office of county treasurer.

40 (3) ~~[The]~~ Each county legislative body shall ensure that any ordinance consolidating or  
 41 separating county offices:

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

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

46 (4) Each county legislative body shall:

47 (a) enact an ordinance by February 1, ~~H→~~ [2006] 2010 ←H, separating any county offices  
 47a that are  
 48 prohibited from consolidation by this section; and

49 (b) publish, by February 15, ~~H→~~ [2006] 2010 ←H, a notice once in a newspaper of general  
 49a circulation  
 50 in the county identifying the county offices that will be filled in the November ~~H→~~ [2006] 2010 ←H  
 50a election.

51 **Section 2. Effective date.**

52 If approved by two-thirds of all the members elected to each house, this bill takes effect  
 53 upon approval by the governor, or the day following the constitutional time limit of Utah  
 54 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,  
 55 the date of veto override.

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**Legislative Review Note**

as of 9-16-05 10:39 AM

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 HB0057**

County Officers Amendments

16-Jan-06

7:47 AM

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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**