

**COUNTY OFFICERS AMENDMENTS**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ronda Rudd Menlove**

Senate Sponsor: Peter C. Knudson

Cosponsors:  
Brad L. Dee

Ben C. Ferry

Julie Fisher

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**LONG TITLE**

**General Description:**

This bill modifies provisions relating to county officers.

**Highlighted Provisions:**

This bill:

- ▶ extends a date by which counties must comply with a requirement to separate county offices that are prohibited from being consolidated;
- ▶ authorizes counties that have adopted an ordinance separating county offices that are prohibited from consolidation to repeal that ordinance and requiring the publication of notice under certain circumstances; 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:

30 **17-16-3. Consolidation of offices.**

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

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

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

- 37 (a) consolidate the offices of county commissioner, county council member, or county  
38 treasurer with the office of county auditor;
- 39 (b) consolidate the office of county executive with the office of county auditor, unless a  
40 referendum approving that consolidation passes; or
- 41 (c) consolidate the offices of county commissioner, county council member, county  
42 executive, county assessor, or county auditor with the office of county treasurer.

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

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

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

49 (4) (a) Each county legislative body shall:

50 ~~[(a)]~~ (i) enact an ordinance by February 1, ~~[2006]~~ 2010, separating any county offices  
51 that are prohibited from consolidation by this section; and

52 ~~[(b)]~~ (ii) publish, by February 15, ~~[2006]~~ 2010, a notice once in a newspaper of general  
53 circulation in the county identifying the county offices that will be filled in the November  
54 ~~[2006]~~ 2010 election.

55 (b) (i) If a county legislative body has, by February 1, 2006, enacted an ordinance, in  
56 compliance with this Subsection (4) then in effect, separating county offices that are prohibited  
57 from consolidation by this section, the county legislative body may repeal that ordinance.

58           (ii) If a county legislative body has published notice in a newspaper identifying the  
59 county offices that will be filled in the November 2006 election, and that notice, because of a  
60 repeal of an ordinance under Subsection (4)(b)(i), is incorrect, the county legislative body shall  
61 publish notice once in a newspaper of general circulation in the county indicating that the  
62 previous notice was incorrect and correctly identifying the county offices that will be filled in  
63 the November 2006 election.

64           Section 2. **Effective date.**

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