

COUNTY OFFICERS AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronda Rudd Menlove

Senate Sponsor: _____

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; 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

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, 2006, separating any county offices that are
48 prohibited from consolidation by this section; and

49 (b) publish, by February 15, 2006, a notice once in a newspaper of general circulation
50 in the county identifying the county offices that will be filled in the November 2006 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.

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

Fiscal Note
Bill Number HB0057

County Officers Amendments

16-Jan-06

7:47 AM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst