

Senator Carlene M. Walker proposes the following substitute bill:

COUNTY OFFICER REVISIONS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carlene M. Walker

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions relating to county officers.

Highlighted Provisions:

This bill:

- ▶ prohibits the consolidation of offices in a county of the first class if any of the offices to be consolidated requires a professional license or certificate of a person filing as a candidate for that office, except if each office to be consolidated requires the same license or certificate.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

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 county legislative body may, unless prohibited by Subsection (2), pass an ordinance that:

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

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

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

(2) (a) The county legislative body may not:

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

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

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

(iv) in a county of the first class and except as provided in Subsection (2)(b), consolidate offices after May 1, 2006 if a person filing as a candidate for any of the offices to be consolidated is required to have a professional license or certificate in order to file as a candidate for that office.

(b) The prohibition in Subsection (2)(a)(iv) against consolidating offices in a county of the first class does not apply if each of the offices to be consolidated requires the same professional license or certificate.

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

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

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

(4) Each county legislative body shall:

(a) enact an ordinance by February 1, 2006, separating any county offices that are prohibited from consolidation by this section; and

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