

REVISION TO LOCAL GOVERNMENT

2008 GENERAL SESSION

STATE OF UTAH

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LONG TITLE

General Description:

This bill enacts provisions relating to county and municipal authority.

Highlighted Provisions:

This bill:

- ▶ enacts provisions authorizing counties and municipalities to enact an ordinance making benefits generally available to employees, their dependents, and an unmarried employee's financially dependent or interdependent adult designee;
- ▶ authorizes counties and municipalities to create a registry for adult relationships of financial dependence or interdependence;
- ▶ prohibits a county or municipal registry from giving legal status or effect to a domestic partnership, civil union, or other domestic cohabitation relationship other than marriage;
- ▶ provides other restrictions on an ordinance to make benefits generally available and on a registry created by a county or municipality; and
- ▶ declares void any ordinance or other action that is inconsistent with this bill.

Monies Appropriated in this Bill:

None

32 **Other Special Clauses:**

33 None

34 **Utah Code Sections Affected:**

35 ENACTS:

36 **10-8-1.5**, Utah Code Annotated 1953

37 **17-50-324**, Utah Code Annotated 1953



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

40 Section 1. Section **10-8-1.5** is enacted to read:

41 **10-8-1.5. Authority to make benefits generally available to employees, their**
42 **dependents, and an adult designee -- Registry authorized -- Limitations.**

43 (1) A municipality may, by ordinance enacted by the municipal legislative body, make
44 benefits generally available to all municipal employees, their dependents, and an unmarried
45 employee's financially dependent or interdependent adult designee.

46 (2) (a) Subject to Subsection (2)(b), a municipality may, by ordinance enacted by the
47 municipal legislative body, create a registry for adult relationships of financial dependence or
48 interdependence.

49 (b) A municipality may not create or maintain a registry or other means that defines,
50 identifies, or recognizes and gives legal status or effect to a domestic partnership, civil union, or
51 domestic cohabitation relationship other than marriage.

52 (3) The municipality's recognition of an adult designee, the creation and maintenance of
53 a registry under Subsection (2)(a), and any certificate issued to or other designation of a person
54 on the municipality's registry are not and may not be treated the same as or substantially
55 equivalent to marriage.

56 (4) Neither an ordinance under Subsection (1) or (2)(a) nor a registry created under
57 Subsection (2)(a) making an employee benefit available to an adult designee may create, modify,
58 or affect a spousal, marital, or parental status, duty, or right.

59 (5) An ordinance, executive order, rule, or regulation adopted or other action taken

60 before, on, or after May 5, 2008 that is inconsistent with this section is void.

61 Section 2. Section **17-50-324** is enacted to read:

62 **17-50-324. Authority to make benefits generally available to employees, their**
63 **dependents, and an adult designee -- Registry authorized -- Limitations.**

64 (1) A county may, by ordinance enacted by the county legislative body, make benefits
65 generally available to all county employees, their dependents, and an unmarried employee's
66 financially dependent or interdependent adult designee.

67 (2) (a) Subject to Subsection (2)(b), a county may, by ordinance enacted by the county
68 legislative body, create a registry for adult relationships of financial dependence or
69 interdependence.

70 (b) A county may not create or maintain a registry or other means that defines,
71 identifies, or recognizes and gives legal status or effect to a domestic partnership, civil union, or
72 domestic cohabitation relationship other than marriage.

73 (3) The county's recognition of an adult designee, the creation and maintenance of a
74 registry under Subsection (2)(a), and any certificate issued to or other designation of a person
75 on the county's registry are not and may not be treated the same as or substantially equivalent to
76 marriage.

77 (4) Neither an ordinance under Subsection (1) or (2)(a) nor a registry created under
78 Subsection (2)(a) making an employee benefit available to an adult designee may create, modify,
79 or affect a spousal, marital, or parental status, duty, or right.

80 (5) An ordinance, executive order, rule, or regulation adopted or other action taken
81 before, on, or after May 5, 2008 that is inconsistent with this section is void.