

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 health care benefits generally available to employees and their dependents, including a financially dependent adult designee of an unmarried employee;
- ▶ prohibits an ordinance making health care benefits available to employees from creating, modifying, or affecting a spousal, marital, or parental status, duty, or right;
- ▶ prohibits counties and municipalities from:
 - creating or maintaining a registry or other means that defines, identifies, or recognizes and gives legal status or effect to a domestic partnership, civil union, or other domestic relationship other than marriage; and
 - using any other method, means, or action to identify or designate an eligible adult dependent of an unmarried employee; and



30 ▶ makes void any ordinance, executive order, rule, regulation, or other action that is
31 inconsistent with this bill.

32 **Monies Appropriated in this Bill:**

33 None

34 **Other Special Clauses:**

35 None

36 **Utah Code Sections Affected:**

37 ENACTS:

38 **10-8-1.5**, Utah Code Annotated 1953

39 **17-50-324**, Utah Code Annotated 1953



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

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

43 **10-8-1.5. Authority to make health care benefits generally available to employees**
44 **and their dependents -- Financially dependent adult designees.**

45 (1) A municipality may, by ordinance enacted by the municipal legislative body, make
46 health care benefits generally available to all municipal employees and their dependents,
47 including an unmarried employee's financially dependent adult designee if the health care
48 benefits are not otherwise available to the designee.

49 (2) The verification of financial dependency sufficient to qualify an adult designee for
50 health care benefits and the recognition of the financially dependent adult designee as eligible
51 for health care benefits are not and may not be treated the same as or substantially equivalent to
52 marriage.

53 (3) An ordinance under Subsection (1) making health care benefits available to a
54 financially dependent adult designee of an unmarried municipal employee may not create,
55 modify, or affect a spousal, marital, or parental status, duty, or right.

56 (4) Except as provided in this section, a municipality may not use any other method,
57 means, or action to identify or designate an eligible adult dependent of an unmarried employee.

58 (5) A municipality may not create or maintain a registry or other means that defines,
59 identifies, or recognizes and gives legal status or effect to a domestic partnership, civil union,
60 or other domestic relationship other than marriage.

61 (6) An ordinance, executive order, rule, or regulation adopted or other action taken
62 before or after the effective date of this section that is inconsistent with this section is void.

63 (7) A municipality may share information concerning an employee's designation of a
64 financially dependent adult with the designee's:

65 (a) private health care insurer; or

66 (b) employer.

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

68 **17-50-324. Authority to make health care benefits generally available to**
69 **employees and their dependents -- Financially dependent adult designees.**

70 (1) A county may, by ordinance enacted by the county legislative body, make health
71 care benefits generally available to all county employees and their dependents, including an
72 unmarried employee's financially dependent adult designee if the health care benefits are not
73 otherwise available to the designee.

74 (2) The verification of financial dependency sufficient to qualify an adult designee for
75 health care benefits and the recognition of the financially dependent adult designee as eligible
76 for health care benefits are not and may not be treated the same as or substantially equivalent to
77 marriage.

78 (3) An ordinance under Subsection (1) making health care benefits available to a
79 financially dependent adult designee of an unmarried county employee may not create, modify,
80 or affect a spousal, marital, or parental status, duty, or right.

81 (4) Except as provided in this section, a county may not use any other method, means,
82 or action to identify or designate an eligible adult dependent of an unmarried employee.

83 (5) A county may not create or maintain a registry or other means that defines,
84 identifies, or recognizes and gives legal status or effect to a domestic partnership, civil union,
85 or other domestic relationship other than marriage.

86 (6) An ordinance, executive order, rule, or regulation adopted or other action taken
87 before or after the effective date of this section that is inconsistent with this section is void.

88 (7) A county may share information concerning an employee's designation of a
89 financially dependent adult with the designee's:

90 (a) private health care insurer; or

91 (b) employer.

Legislative Review Note
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Office of Legislative Research and General Counsel