

ELECTION AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Derek E. Brown

Senate Sponsor: Daniel R. Liljenquist

LONG TITLE

General Description:

This bill requires that a county stagger the terms of county officers.

Highlighted Provisions:

This bill:

- ▶ requires that a county stagger the terms of county officers;
- ▶ repeals a provision concerning a county officer's term of office; and
- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-16-6, as last amended by Laws of Utah 2000, Chapter 133

17-18-1.6, as renumbered and amended by Laws of Utah 1997, Chapter 139

REPEALS:

17-53-102, as enacted by Laws of Utah 2000, Chapter 133

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

Section 1. Section **17-16-6** is amended to read:



28 **17-16-6. County officers -- Time of holding elections -- County commissioners --**
29 **Terms of office -- Terms staggered.**

30 (1) Except as otherwise provided in an optional plan adopted under Chapter 52,

31 Changing Forms of County Government:

32 [~~(1)~~] (a) each elected county officer shall be elected at the general election [~~held in~~
33 ~~November, 1990, and then~~] every four years, except as otherwise provided in this title;

34 [~~(2)~~] (b) county commissioners shall be elected at the times, in the manner, and for the
35 terms provided in Section 17-52-501; and

36 [~~(3)~~] (c) an elected officer shall hold office for the term for which [~~he~~] the officer is
37 elected, beginning at noon on the first Monday in January following [~~his~~] the officer's election
38 and until a successor is elected or appointed and qualified, except as provided in Section
39 17-16-1.

40 (2) (a) The terms of county officers shall be staggered in accordance with this
41 Subsection (2).

42 (b) Except as provided in Subsection (2)(c), in the 2014 general election:

43 (i) the following county officers shall be elected to one six-year term and thereafter
44 elected to a four-year term:

45 (A) county clerk;

46 (B) county auditor;

47 (C) county attorney; and

48 (D) county sheriff; and

49 (ii) all other county officers shall be elected to a four-year term.

50 (c) If a county legislative body consolidates two or more county offices in accordance
51 with Section 17-16-3 on or after May 10, 2011, the county legislative body shall pass an
52 ordinance that sets the election schedule for the consolidated offices in a reasonable manner
53 that staggers the terms of county officers as provided in this Subsection (2).

54 Section 2. Section **17-18-1.6** is amended to read:

55 **17-18-1.6. Election of district attorney.**

56 (1) Each district attorney shall be elected at the regular general election beginning in
57 November, 1994, or any regular general election year thereafter.

58 (2) A district attorney shall hold office for four years, except as provided in Section

59 17-16-6, the term for which [~~he~~] the district attorney is elected, beginning the first Monday of
60 January following [~~his~~] the election and until a successor is elected or appointed and qualified.

61 Section 3. **Repealer.**

62 This bill repeals:

63 Section **17-53-102, Officer's term of office.**

Legislative Review Note

as of 1-27-11 8:17 AM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 103

SHORT TITLE: **Election Amendments**

SPONSOR: **Brown, D.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.