

**Representative Kraig Powell** proposes the following substitute bill:

**LOCAL GOVERNING BODY VOTING AMENDMENTS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kraig Powell**

Senate Sponsor: Brian E. Shiozawa

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**LONG TITLE**

**General Description:**

This bill enacts language related to the minimum vote requirements of a local governing body.

**Highlighted Provisions:**

This bill:

► requires a majority vote of the total number of voting members of a municipal council to pass an ordinance or resolution or take other action.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**10-3-507**, as last amended by Laws of Utah 2011, Chapter 176

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

Section 1. Section **10-3-507** is amended to read:

**10-3-507. Minimum vote required.**



26 (1) The minimum number of yes votes required to pass any ordinance or resolution, or  
 27 to take any action by the council, unless otherwise prescribed by law, is a majority of the ~~total~~  
 28 ~~number of~~ ~~←~~ ~~→~~ voting members of the council, regardless ~~→~~ ~~[of the number of voting members~~  
 28a ~~of the~~  
 29 ~~council present at the meeting, and without considering any vacancy in the council] of absence or~~  
 29a ~~vacancy~~ ~~←~~ ~~→~~ .

30 (2) (a) Any ordinance, resolution, or motion of the council having fewer favorable  
 31 votes than required in this section is defeated and invalid.

32 (b) Notwithstanding Subsection (2)(a), a council meeting may be adjourned to a  
 33 specific time by a majority vote of the council even though the majority vote is less than that  
 34 required in this section.

35 (3) ~~→~~ ~~[A]~~ If a vacancy exists in one or more council seats, a ~~←~~ ~~→~~ majority of the  
 35a council members ~~→~~ presently occupying council seats ~~←~~ ~~→~~ , regardless of number, may  
 35b ~~→~~ vote to ~~←~~ ~~→~~ fill ~~→~~ [any vacancy in  
 36 ~~the council] the vacancy~~ ~~←~~ ~~→~~ as provided under Section 20A-1-510.