

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: _____

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 or county legislative body 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

17-53-203, as renumbered and amended by Laws of Utah 2000, Chapter 133

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



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

27 **10-3-507. Minimum vote required.**

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

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

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

37 (3) A majority of the council members, regardless of number, may fill any vacancy in
38 the council as provided under Section [20A-1-510](#).

39 Section 2. Section **17-53-203** is amended to read:

40 **17-53-203. Chair -- Oaths -- Minimum vote required.**

41 (1) Each county legislative body shall elect one of their number chair and may elect a
42 vice chair.

43 (2) (a) The chair shall preside at all meetings of the county legislative body, and in case
44 of the chair's absence or inability to act, the vice chair, if there is one, shall preside.

45 (b) If both the chair and vice chair, if there is one, are absent or unable to act, the
46 members present shall, by an order entered in their minutes, select one of their number to act as
47 chair temporarily.

48 (3) Any member of the county legislative body may administer oaths to any person
49 when necessary in the performance of official duties.

50 (4) Not less than a majority of members shall constitute a quorum for the transaction of
51 business~~[, and no act of the county legislative body shall be valid or binding unless a majority~~
52 ~~of members present when a quorum is present concurs therein].~~

53 (5) Unless otherwise prescribed by law, the minimum number of yes votes required to
54 pass any ordinance or resolution, or to take any action by the county legislative body, is a
55 majority of the total number of voting members of the legislative body, regardless of the
56 number of voting members of the legislative body present at the meeting, and without

57 considering any vacancy in the legislative body.