

1 **LOCAL ELECTIONS AMENDMENTS**

2 2015 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Merrill F. Nelson**

5 Senate Sponsor: _____

6

7 **LONG TITLE**

8 **General Description:**

9 This bill prohibits a county from electing the county's elected officers through a
10 nonpartisan election.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ prohibits a county that provided for the election of the county's elected officers
14 through a partisan election in the 2014 general election from changing to a process
15 that provides for the election of the county's elected officers through a nonpartisan
16 election.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **17-16-6**, as last amended by Laws of Utah 2014, Chapter 16

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

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

27 **17-16-6. County officers -- Time of holding elections -- County commissioners --**



28 **Terms of office.**

29 (1) Except as otherwise provided in an optional plan adopted under Chapter 52,
30 Changing Forms of County Government:

31 (a) each elected county officer shall be elected at the regular general election every four
32 years in accordance with Section 20A-1-201, except as otherwise provided in this title;

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

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

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

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

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

43 (A) county treasurer;

44 (B) county recorder;

45 (C) county surveyor; and

46 (D) county assessor; and

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

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

53 (3) A county that provided for the election of the county's elected officers through a
54 partisan election in the 2014 general election may not change to a process that provides for the
55 election of the county's elected officers through a nonpartisan election.

Legislative Review Note
as of 2-18-15 3:54 PM

Office of Legislative Research and General Counsel