

**Representative Merrill F. Nelson** proposes the following substitute bill:

**LOCAL ELECTIONS AMENDMENTS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Merrill F. Nelson**

Senate Sponsor: Ralph Okerlund

---

---

**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

- ▶ prohibits a county that provided for the election of the county's elected officers through a partisan election in or after the 2000 general election from changing to a process that provides for the election of the county's elected officers through a nonpartisan election.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**17-52-402**, as last amended by Laws of Utah 2001, Chapter 241

---

---

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



26 Section 1. Section 17-52-402 is amended to read:

27 **17-52-402. Plan may propose changing forms of county government -- Plan may**  
28 **propose change of structural form -- Partisan elections.**

29 (1) (a) Each optional plan shall propose changing the form of county government to:

30 (i) the county commission form under Section 17-52-501;

31 (ii) the expanded county commission form under Section 17-52-502;

32 (iii) the county executive and council form under Section 17-52-504; or

33 (iv) the council-manager form under Section 17-52-505.

34 (b) An optional plan adopted after May 1, 2000 may not:

35 (i) propose changing the form of government to a form not included in Subsection

36 (1)(a);

37 (ii) provide for the nonpartisan election of elected officers;

38 (iii) impose a limit on the number of terms or years that an elected officer may serve;

39 or

40 (iv) provide for elected officers to be subject to a recall election.

41 (2) In addition to proposing the adoption of any one of the optional forms of county  
42 government under Subsection (1)(a), an optional plan may also propose the adoption of any  
43 one of the structural forms of county government provided under Chapter 35b, Part 3,  
44 Structural Forms of County Government.

45 (3) A county that provided for the election of the county's elected officers through a  
46 partisan election in or after the 2000 general election may not change to a process that provides  
47 for the election of the county's elected officers through a nonpartisan election.