

HB0365S01 compared with HB0365

~~deleted text~~ shows text that was in HB0365 but was deleted in HB0365S01.

inserted text shows text that was not in HB0365 but was inserted into HB0365S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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: _____

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 ~~2014~~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:

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None

Utah Code Sections Affected:

AMENDS:

~~{17-16-6}~~ 17-52-402, as last amended by Laws of Utah ~~{2014}~~ 2001, Chapter ~~{16}~~ 241

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

Section 1. Section ~~{17-16-6}~~ 17-52-402 is amended to read:

~~{17-16-6. County officers -- Time of holding elections -- County commissioners --~~

~~Terms of office:~~

~~—— (1) Except as otherwise provided in an} 17-52-402. Plan may propose changing forms of county government -- Plan may propose change of structural form -- Partisan elections.~~

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

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

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

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

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

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

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

~~(1)(a):~~

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

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

~~or~~

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

~~(2) In addition to proposing the adoption of any one of the optional forms of county government under Subsection (1)(a), an optional plan may also propose the adoption of any one of the structural forms of county government provided under Chapter ~~{52}~~ 35b, ~~{Changing}~~ Part 3, Structural Forms of County Government~~{:~~~~

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

~~—— (b) county commissioners shall be elected at the times, in the manner, and for the terms~~

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~~provided in Section 17-52-501; and~~

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

~~—— (2) (a) The terms of county officers shall be staggered in accordance with this Subsection (2):~~

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

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

~~—— (A) county treasurer;~~

~~—— (B) county recorder;~~

~~—— (C) county surveyor; and~~

~~—— (D) county assessor; and~~

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

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

(3) A county that provided for the election of the county's elected officers through a partisan election in ~~or after~~ the ~~{2014};2000~~ general election may not change to a process that provides for the election of the county's elected officers through a nonpartisan election.

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Legislative Review Note

~~—— as of 2-18-15 3:54 PM~~

~~—— Office of Legislative Research and General Counsel}~~