



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
P.O. BOX 145115 • SALT LAKE CITY, UTAH 84114-5115 • (801) 538-1035

March 11, 2019

Mr. President,

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 415, LOCAL LAW ENFORCEMENT STRUCTURE AND GOVERNANCE AMENDMENTS**, by Representative P. Ray, with the following amendments:

1. *Page 1, Line 10 through 11:*

- 10 This bill prohibits a municipality {~~or county~~} from establishing a board or
committee with
11 certain powers over a police chief {~~or county sheriff~~} .

2. *Page 1, Line 14 through 17:*

- 14 ▶ prohibits a municipality from establishing a board or committee with certain
powers
15 over a police chief {~~or county sheriff~~} ;
16 ▶ establishes limitations on a municipality's {~~or county's~~} power to
establish a board or
17 committee that relates to the provision of law enforcement services; and

3. *Page 2, Line 28:*

- 28 {~~17-22-31, as enacted by Laws of Utah 2014, Chapter 333~~}

Bill Number



HB0415

Action Class



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Action Code



SCRAMD

4. Page 2, Line 58 through 59:

58 (ii) (A) has authority to ~~{ veto or }~~ overrule a hiring or appointment ~~{~~
decision} proposal of the chief
59 of police;

5. Page 3, Line 70:

70 (ii) prohibits the municipal council or ~~{ mayor }~~ chief executive officer
from taking a lawful action described in

6. Page 3, Line 73 through 75:

73 (5) Subject to Subsection (4), a municipality may establish a board, committee, or
other
74 entity that relates to the provision of law enforcement services and that has authority
75 independent of the chief of police if the ~~{ municipal legislative body }~~ .
municipality :

7. Page 4, Line 92 through 114:

92 ~~{ Section 4. Section 17-22-31 is amended to read:~~
93 ~~— 17-22-31. Sheriff -- Primary law enforcement authority -- Oversight.~~
94 ~~— (1) The sheriff is the primary law enforcement authority of state law on~~
~~federal land~~
95 ~~except as otherwise assigned by law to the authority of a state or municipal law~~
~~enforcement~~
96 ~~agency.~~
97 ~~— (2) (a) A county may not establish a board, committee, or other entity that:~~
98 ~~— (i) has authority independent of the county sheriff; and~~
99 ~~— (ii) (A) has authority to veto or overrule a hiring or appointment decision of~~
~~the county~~

100 ~~sheriff;~~
101 ~~— (B) is required to review or approve a sheriff's office rules, regulations,~~
102 ~~policies, or~~
103 ~~procedures in order for the rules, regulations, policies, or procedures to take effect;~~
104 ~~— (C) has authority to veto a new policy, or strike down an existing policy,~~
105 ~~established~~
106 ~~under the authority of a county sheriff;~~
107 ~~— (D) is required to review or approve a county sheriff's budget in order for the~~
108 ~~budget to~~
109 ~~take effect; or~~
110 ~~— (E) has authority to review or approve a contract the county sheriff makes~~
111 ~~with a police~~
112 ~~union or other organization in order for the contract to take effect.~~
113 ~~— (b) Nothing in this Subsection (2):~~
114 ~~— (i) limits a county legislative body's authority to take an action that is~~
115 ~~otherwise~~
116 ~~authorized under this title;~~
117 ~~— (ii) prohibits the county legislative body from taking an action described in~~
118 ~~Subsection~~
119 ~~(2)(a) that the county legislative body may legally take; or~~
120 ~~— (iii) limits county's authority under Subsection (3). }~~

Respectfully,

Daniel W. Thatcher
Chair

Voting: 3-0-4