

Representative Michael J. Petersen proposes the following substitute bill:

COUNTY OFFICE CONSOLIDATION AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael J. Petersen

Senate Sponsor: David G. Buxton

LONG TITLE

General Description:

This bill amends the requirements for a county legislative body related to consolidation or separation of county offices.

Highlighted Provisions:

This bill:

► changes the deadline for a county legislative body to enact an ordinance that consolidates or separates county offices.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-16-3, as last amended by Laws of Utah 2006, Chapter 3

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

Section 1. Section **17-16-3** is amended to read:

17-16-3. Consolidation of offices.



26 (1) A county legislative body may, unless prohibited by Subsection (2), pass an
27 ordinance that:

- 28 (a) consolidates county offices and establishes the duties of those consolidated offices;
- 29 (b) separates any previously consolidated offices and reconsolidates them; or
- 30 (c) separates any previously consolidated offices without reconsolidating them.

31 (2) A county legislative body may not:

32 (a) consolidate the offices of county commissioner, county council member, or county
33 treasurer with the office of county auditor;

34 (b) consolidate the office of county executive with the office of county auditor, unless a
35 referendum approving that consolidation passes; or

36 (c) consolidate the offices of county commissioner, county council member, county
37 executive, county assessor, or county auditor with the office of county treasurer.

38 (3) Each county legislative body shall ensure that any ordinance consolidating or
39 separating county offices:

40 (a) is enacted before the [~~February~~] ~~H~~→ ~~December~~ November ←~~H~~ 1 of the year before
40a the year in which

41 county officers are elected; and

42 (b) takes effect on the first Monday in January after the year in which county officers
43 are elected.

44 (4) (a) Each county legislative body shall:

45 (i) enact an ordinance by February 1, 2010, separating any county offices that are
46 prohibited from consolidation by this section; and

47 (ii) publish, by February 15, 2010, a notice once in a newspaper of general circulation
48 in the county identifying the county offices that will be filled in the November 2010 election.

49 (b) (i) If a county legislative body has, by February 1, 2006, enacted an ordinance, in
50 compliance with this Subsection (4) then in effect, separating county offices that are prohibited
51 from consolidation by this section, the county legislative body may repeal that ordinance.

52 (ii) If a county legislative body has published notice in a newspaper identifying the
53 county offices that will be filled in the November 2006 election, and that notice, because of a
54 repeal of an ordinance under Subsection (4)(b)(i), is incorrect, the county legislative body shall
55 publish notice once in a newspaper of general circulation in the county indicating that the
56 previous notice was incorrect and correctly identifying the county offices that will be filled in

57 the November 2006 election.