

HB0466S02 compared with HB0466

~~deleted text~~ shows text that was in HB0466 but was deleted in HB0466S02.

inserted text shows text that was not in HB0466 but was inserted into HB0466S02.

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Representative Kay J. Christofferson proposes the following substitute bill:

OFFICE OF THE ATTORNEY GENERAL EMPLOYMENT

AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kay J. Christofferson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions relating to employees of the Office of the Attorney General.

Highlighted Provisions:

This bill:

- ▶ modifies provisions relating to the career service status of employees of the Office of the Attorney General;
- ▶ provides that employees hired after a specified date may not be given career service status;
- ▶ provides for certain employees to voluntarily elect to convert to a position with

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career service exempt status;

- ▶ authorizes the attorney general to adopt a policy for a review process for an employee in a career service exempt status who is recommended to be suspended, demoted, or dismissed;
- ▶ requires the attorney general to adopt a pay for performance plan and provides for the features of a plan; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

[This bill provides revisor instructions.](#)

Utah Code Sections Affected:

~~{AMENDS:~~

- ~~———— [67-5-7](#), as last amended by Laws of Utah 2021, Chapter 344~~
- ~~———— [67-5-8](#), as last amended by Laws of Utah 2012, Chapter 101~~
- ~~———— [67-5-9](#), as last amended by Laws of Utah 2007, Chapter 166~~
- ~~———— [67-5-12](#), as last amended by Laws of Utah 2012, Chapter 369~~
- ~~———— [67-5-13](#), as last amended by Laws of Utah 2007, Chapter 166~~

~~}ENACTS:~~

~~[67-5-10.5](#)~~[67-5-201](#), Utah Code Annotated 1953

~~[67-5-11.5](#)~~[67-5-205](#), Utah Code Annotated 1953

[67-5-206](#), Utah Code Annotated 1953

RENUMBERS AND AMENDS:

[67-5-202](#), (Renumbered from [67-5-7](#), as last amended by Laws of Utah 2021, Chapter 344)

[67-5-203](#), (Renumbered from [67-5-8](#), as last amended by Laws of Utah 2012, Chapter 101)

[67-5-204](#), (Renumbered from [67-5-9](#), as last amended by Laws of Utah 2007, Chapter 166)

[67-5-207](#), (Renumbered from [67-5-10](#), as last amended by Laws of Utah 1994, Chapter

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67-5-208, (Renumbered from 67-5-11, as last amended by Laws of Utah 2021, Chapter 345)

67-5-209, (Renumbered from 67-5-12, as last amended by Laws of Utah 2012, Chapter 369)

67-5-210, (Renumbered from 67-5-13, as last amended by Laws of Utah 2007, Chapter 166)

REPEALS:

67-5-6, as enacted by Laws of Utah 1973, Chapter 185

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

Section 1. Section ~~{67-5-7}~~67-5-201 is enacted to read:

Part 2. Employees of the Office of the Attorney General

67-5-201. Definitions.

As used in this part:

(1) "Career service exempt status" means the employment status of an employee who is exempt from and not subject to the career service provisions of this part.

(2) "Career service status" means the employment status of an employee who is subject to the career service provisions of this part.

(3) "Eligible employee" means an employee, except a POST-certified employee:

(a) who, on the effective date of this section, is employed in a position with career service status; or

(b) (i) who was hired before the effective date of this section for a position with career service status;

(ii) whose position is subject to a probationary period of service described in Subsection 67-5-203(2)(a)(iii); and

(iii) who, on the effective date of this section, has not yet completed the probationary period of service.

(4) "Employee" means an individual employed by the Office of the Attorney General.

(5) "Pay for performance plan" means a plan:

(a) for incentivizing an employee to meet or exceed production or performance goals;

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(b) that is established before work begins;

(c) under which specific goals and targets for the employee are determined and measurement procedures are in place; and

(d) that includes features described in Subsection 67-5-206(2).

(6) "POST-certified employee" means an employee who:

(a) is employed in a position that requires the employee to have received the training certification under Title 53, Chapter 6, Part 2, Peace Officer Training and Certification Act;

(b) received the training certification described in Subsection (6)(a); and

(c) maintains the training certification described in Subsection (6)(a) throughout the time of the employee's employment in a position that requires the employee to have received the training certification described in Subsection (6)(a).

Section 2. Section 67-5-202, which is renumbered from Section 67-5-7 is renumbered and amended to read:

~~67-5-7~~. ~~{Establishment}~~ 67-5-202. Establishment of employment system.

(1) The purpose of this [chapter] ~~{section and Sections 67-5-8, 67-5-9, 67-5-10, 67-5-10.5, 67-5-11, 67-5-11.5, 67-5-12, and 67-5-13}~~ part is to establish [a career service] an employment system for employees of the Office of the Attorney General that will attract and retain employees of proven ability and experience who will devote their full time to the service of the state.

(2) The Office of the Attorney General may adopt policies necessary to implement this [chapter] ~~{section and Sections 67-5-8, 67-5-9, 67-5-10, 67-5-10.5, 67-5-11, 67-5-11.5, 67-5-12, and 67-5-13}~~ part, including personnel and work policies different from those made by the Division of Human Resource Management.

Section ~~{2}~~ 3. Section ~~{67-5-8}~~ 67-5-203, which is renumbered from Section 67-5-8 is renumbered and amended to read:

~~67-5-8~~. ~~{Eligibility}~~ 67-5-203. Eligibility for career service status.

(1) (a) The attorney general has sole authority to determine who may be employed with the Office of the Attorney General.

(b) An employee of the state or any of its departments or agencies has no claim or right to a position in the [attorney general's office] Office of the Attorney General by virtue of that employment.

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(2) (a) An employee of the Office of the Attorney General shall be ~~placed in a~~ granted career service status if:

(i) the employee ~~successfully completes the probationary period under Subsection (2)(a)(iii)~~:

(A) was hired before the effective date of this section for a position with career service status; and

(B) does not voluntarily elect to convert to career service exempt status under Section 67-5-205;

~~(ii)~~ (ii) for an employee who is an attorney, the attorney is a member in good standing of the Utah State Bar Association; and

~~(iii)~~ (iii) except as provided in Subsection (3), the employee has been employed by the Office of the Attorney General as a probationary employee for a period of:

(A) at least one year but no more than 18 months; or

(B) in the case of investigators, at least 18 months, but no more than two years.

(b) An employee ~~now~~ employed by the ~~attorney general's office in~~ Office of the Attorney General ~~with~~ who has career service status may not be terminated under this ~~chapter~~ part except for cause.

(3) (a) The attorney general shall determine whether an employee hired before the effective date of this section should be granted career service status, subject to the employee completing an applicable probationary period ~~before the effective date of this section~~.

(b) If, at the end of the probationary period established under Subsection (2), the attorney general determines that an employee should be granted career service status, the attorney general shall notify the employee in writing of that decision and place a copy of the notification in the employee's personnel file.

(c) If the attorney general determines that career service status should not be granted, the attorney general:

(i) may ~~either~~ terminate the employee or extend the probationary period for a period not to exceed one year~~;~~; and

~~(d) The attorney general shall~~

(ii) shall:

(A) notify the employee in writing of ~~that decision~~ ~~and~~ the attorney general's

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determination; and

(B) place a copy of the notification in the employee's personnel file.

~~[(e)]~~ (d) An employee terminated under ~~[this section]~~ Subsection (3)(c) has no appeal rights under this ~~[chapter { } section and Sections 67-5-7, 67-5-9, 67-5-10, 67-5-11, 67-5-12, and 67-5-13.]~~ part.

(4) An employee of the Office of the Attorney General hired on or after the effective date of this section may not be ~~{given}~~ granted career service status.

Section ~~{3}~~4. Section ~~{67-5-9}~~67-5-204, which is renumbered from Section 67-5-9 is renumbered and amended to read:

~~{67-5-9}~~. ~~{Reassignment}~~ **67-5-204. Reassignment** of career status employees -- Additional compensation for managerial assignments -- Employment of special assistant attorneys general -- Termination of employees -- Salary increases.

~~{(1)}~~ (1) This ~~[chapter { does}]~~ (1) This section and Sections 67-5-7, 67-5-8, 67-5-10, 67-5-10.5, 67-5-11, 67-5-11.5, 67-5-12, and 67-5-13 do] part does not affect the authority of the attorney general to:

~~{(1)}~~ (a) ~~assign {and} or {reassign [employees]} an employee in a career service status to a different { }~~ reassign an employee with career service status to a different position on the attorney general's staff, subject to Subsection (2);

(b) develop a plan for additional compensation for a career service status employee who accepts a managerial assignment within the office, subject to Subsection (3);

~~{(1) assign and reassign employees in a career status to different} positions on his staff. The salary of an employee reassigned to a different position shall not be decreased by reason of reassignment; except that if the employee reassigned occupies the position of chief deputy attorney general, the salary may be reduced by not more than 15% upon the assignment to a different position; { } position on the attorney general's staff, subject to Subsection (2);~~

~~{(2) { (b) } develop a plan for additional compensation for { a } career { service } status { } employees who accept managerial assignments { } employee who accepts a managerial assignment} within the office { }.~~ The provisions of Subsection (1) notwithstanding, the attorney general may discontinue any additional compensation if the employee no longer holds a managerial assignment. Additional compensation provided under this section shall be determined by the attorney general pursuant to the plan developed by the Office of the Attorney

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General. If the employee no longer holds a managerial assignment, and the attorney general decides to discontinue any additional compensation, the reduction may not place the employee at a salary below where the employee would be through normal salary increases if the employee had not been in a managerial position. ~~]~~ ~~{, subject to Subsection (3);}~~

~~[(3)]~~ (c) employ special assistant attorneys general ~~], who {}~~ shall not be ~~{ are not}~~ subject to this ~~{}~~ chapter. ~~{ section or Section 67-5-7, 67-5-8, 67-5-10, 67-5-10.5, 67-5-11, 67-5-11.5, 67-5-12, or 67-5-13,}~~ to represent the state in particular lawsuits or to handle particular legal matters for the state, without being subject to this part;

~~[(4)]~~ (d) terminate the employment of any employee of the Office of the Attorney General ~~[who is not in a]~~ with career service exempt status; or

~~[(5)]~~ (e) establish the salary or determine salary increases of any employee ~~[under this chapter {;}]~~ of the Office of the Attorney General.

(2) (a) Except as provided in Subsection (2)(b), the salary of an employee ~~{ in a }~~ with career service status who is reassigned to a different position in the Office of the Attorney General may not be decreased because of the reassignment.

(b) The salary of an employee ~~{ in a }~~ with career service status who is reassigned to a different position in the Office of the Attorney General may be reduced by not more than 15% upon the reassignment if the employee's position before the reassignment is chief deputy attorney general.

(3) (a) Any additional compensation paid to an employee holding a managerial assignment shall be determined by the attorney general pursuant to the plan developed by the Office of the Attorney General under Subsection (1)(b).

(b) (i) Subject to Subsection (3)(b)(ii), if the attorney general reassigns an employee who holds a managerial position and who is paid additional compensation because of the managerial position to a position that is not a managerial position, the attorney general may discontinue the employee's additional compensation.

(ii) A discontinuance of additional compensation under Subsection (3)(b)(i) may not result in the employee being paid a salary lower than the salary the employee would have been paid, considering normal salary increases, if the employee had not been in a managerial position.

Section ~~{4}~~ 5. Section ~~{67-5-10.5}~~ 67-5-205 is enacted to read:

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~~{67-5-10.5}~~67-5-205.~~{ Career}~~ Employees with career service ~~{employees}~~status --
Election to convert to a career service exempt status -- Adoption of policy for review
process for career service exempt status employees.

~~{~~ (1) As used in this section:

~~—— (a) "Career service exempt status" is the employment status of an employee who is
exempt from the career service provisions of Sections 67-5-7, 67-5-8, 67-5-9, 67-5-10,
67-5-11, 67-5-12, and 67-5-13.~~

~~—— (b) "Eligible employee" is an employee:~~

~~—— (i) who, before the effective date of this section, is given career service status; or~~

~~—— (ii) (A) who was hired before the effective date of this section for a career service
status position;~~

~~—— (B) whose position is subject to a probationary period of service described in
Subsection 67-5-8(2)(a); and~~

~~—— (C) who, on the effective date of this section, has not yet completed the probationary
period of service.~~

~~—— (c) "Employee" means an individual employed by the Office of the Attorney General.~~

~~‡~~ ~~(2)1~~ An employee who, on the effective date of this section, ~~is a}~~has career service
~~{employee remains a}~~status maintains the career service ~~{employee}~~status unless the employee
voluntarily elects to convert to career service exempt status ~~{before March 30, 2024}~~as
provided in this section.

~~(3)2~~ (a) The attorney general shall disseminate to each eligible employee information
on financial and other incentives for the eligible employee's voluntary election to convert to
career service exempt status.

(b) An employee with career service status who elects to convert to a career service
exempt status before March 30, 2024 shall receive a salary increase of 15%.

~~(4)3~~ (a) The attorney general may adopt a policy to implement a review process for
an employee ~~in}~~with career service exempt status who is recommended to be suspended,
demoted, or dismissed from employment.

(b) The review process implemented in a policy adopted under Subsection (3)(a) may
consist of some or all of the grievance procedures provided in Chapter 19a, Grievance
Procedures.

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Section ~~{5}~~6. Section ~~{67-5-11.5}~~67-5-206 is enacted to read:

~~{67-5-11.5}~~67-5-206. Pay for performance plan.

(1) ~~{As used in this section, "}~~No later than July 1, 2023, the attorney general shall:

~~(a) adopt a pay for performance plan{" means a plan:~~

~~(a) for incentivizing an employee to meet or exceed production or performance goals;~~

~~(b) that is established before work begins;~~

~~(c) under which specific goals and targets}; and~~

~~(b) subject to available funds and as necessary, adjust an employee's wage to reflect:~~

~~(i) subject to Subsection (3)(b), the salary range of the position classified plan for the
{employee are determined and measurement procedures are in place; and~~

~~(d) that includes features described in Subsection (2)};employee's position; and~~

~~(ii) an increase, decrease, or no change in the employee's wage;~~

~~(A) commensurate with an employee's performance as reflected by the evaluation
conducted in accordance with the pay for performance plan; and~~

~~(B) in an amount that is in accordance with the guidelines and criteria established for a
wage change in the pay for performance plan.~~

(2) A pay for performance plan shall include:

~~(a) guidelines and criteria for performance policies and to administer pay based on an
employee's performance in furtherance of the mission of the Office of the Attorney General;~~

~~(b) employee performance ratings;~~

~~(c) requirements for written employee performance standards and expectations;~~

~~(d) a provision for supervisor verbal and written feedback based on the standards of
performance and behavior outlined in an employee's performance plan; and~~

~~(e) {quarterly written}a provision for the periodic evaluation of an employee's
performance{;~~

~~(3) No later{, no less frequently than {July 1}annually, {2023,}as established by the
attorney general {shall:~~

~~(a) adopt a pay for performance plan; and~~

~~(b) subject to available funds and as necessary, adjust an employee's wage to reflect:~~

~~(i) subject to Subsection (4)(b), the salary range of the position classified plan for the
employee's position; and~~

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- ~~(ii) an increase, decrease, or no change in the employee's wage;~~
- ~~(A) commensurate with an employee's performance as reflected by the evaluation conducted in accordance with the pay for performance plan; and~~
- ~~(B) in an amount that is in accordance with the guidelines and criteria established for a wage change } in the pay for performance plan.~~

~~(4)3~~ In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the attorney general shall make rules:

- ~~(a) for the administration of a pay for performance plan; and~~
- ~~(b) authorizing an employee with career service status to receive a wage that exceeds the salary range of the employee's career service status position if warranted based on the employee's performance rating.~~

Section ~~{6}7~~. Section ~~{67-5-12 is}~~ 67-5-207, which is renumbered from Section 67-5-10 is renumbered and amended to read:

~~[67-5-10].~~ 67-5-207. Career status attorneys as full-time employees -- Completion of outside law practice.

- (1) (a) [Attorneys in a career status] An attorney with career service status:
 - (i) shall be a full-time [employees and shall] employee;
 - (ii) may not engage in the private practice of law [and shall]; and
 - (iii) may not receive any fee for legal services rendered to any person, corporation, partnership, or other legal entity other than the state or the county in which the [person] attorney holds office or by whom the [person] attorney is employed.
- (b) The practice of law prohibited by [this subsection] Subsection (1)(a) does not include pro bono service.
- (2) (a) [Attorneys] An attorney on probationary status who [have] has not been granted career service status may, in the discretion of the attorney general, be granted permission to complete or handle legal matters previously begun before employment with the attorney general's office, but may not begin new matters once employed.
 - (b) Once an attorney is granted career service status [is conferred], the attorney is bound by the provisions of Subsection (1).
- (3) [The provisions of this section shall] Subsections (1) and (2) do not apply to a special assistant [attorneys] attorney general retained on a fee basis to render services in

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connection with a single case or a related series of cases.

Section 8. Section 67-5-208, which is renumbered from Section 67-5-11 is renumbered and amended to read:

~~[67-5-11].~~ 67-5-208. Employee accepting appointment to state position exempt from merit provisions -- Reinstatement in career status.

(1) (a) An employee [in a] with career service status [accepting] who accepts an appointment to a position in state government [which] that is exempt from the merit provisions of Title 63A, Chapter 17, Utah State Personnel Management Act, shall notify the attorney general in writing.

(b) Upon termination of [the] an appointment under Subsection (1)(a), unless discharged for cause, the employee, through written request of reinstatement made to the attorney general within 30 days from the effective date of termination from the appointment, shall be reinstated [in a] with career service status in the [attorney general's office] Office of the Attorney General at a salary not less than [that which he] the salary that the employee was receiving at the time of [his] the appointment, and the time spent in the other position shall be credited toward seniority in the position with career service[- Reinstatement] status.

(c) A reinstatement under Subsection (1)(b) shall be made no later than 60 days after the written notification required [by this Subsection (1)] under Subsection (1)(a) or 60 days after the effective date of termination from the employee's appointive position, whichever is later.

(d) The position and assignment to which [the employee shall return] an employee reinstated under Subsection (1)(b) shall be determined by the attorney general.

(2) (a) (i) The Office of the Attorney General shall establish and maintain a separate seniority list for each employee category[-, which categories].

(ii) Categories established under Subsection (2)(a)(i) may include attorneys, investigators, paralegals, secretaries, and others.

(b) An employee of the Office of the Attorney General with less seniority than an employee in the same category entitled to be reinstated under this section holds his position subject to any reinstatement provided by Subsection (1).

Section 9. Section 67-5-209, which is renumbered from Section 67-5-12 is renumbered and amended to read:

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~~67-5-12~~. ~~{Dismissal}~~ 67-5-209. Dismissal of career service status employees

-- Causes -- Procedure -- Retention roster -- Reappointment register.

(1) (a) ~~[Employees in a]~~ An employee with career service status may be dismissed only:

(i) to advance the good of public service;

(ii) where funds have expired or work no longer exists; or

(iii) for any of the following causes or reasons:

(A) noncompliance with provisions in the Office of Attorney General policy manual, or division policies, and, for attorneys, noncompliance with the Rules of Professional Conduct;

(B) work performance that is inefficient or incompetent;

(C) failure to maintain skills and adequate performance levels;

(D) insubordination or disloyalty to the orders of a superior;

(E) misfeasance, malfeasance, or nonfeasance;

(F) failure to advance the good of the public service, including conduct on or off duty which demeans or harms the effectiveness or ability of the office to fulfill its mission or legal obligations;

(G) conduct on or off duty which creates a conflict of interest with the employee's public responsibilities or impact that employee's ability to perform his or her job assignments;

(H) any incident involving intimidation, physical harm, threats of physical harm against coworkers, management, or the public;

(I) failure to meet the requirements of the position;

(J) dishonesty; or

(K) misconduct.

(b) ~~[Employees in]~~ An employee with career service status may not be dismissed for reasons of race, national origin, religion, or political affiliation.

(2) Except in aggravated cases of misconduct, an employee ~~[in a]~~ with career service status may not be suspended, demoted, or dismissed without the following procedures:

(a) The attorney general or a designated representative shall notify the employee of the reasons for suspension, demotion, or dismissal.

(b) The employee shall have an opportunity to reply and have the reply considered by the attorney general or a designated representative.

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(c) The employee shall have an opportunity to be heard by the attorney general or a designated representative.

(d) Following a hearing, an employee may be suspended, demoted, or dismissed if the attorney general or a designated representative finds adequate reason.

(e) If the attorney general or a designated representative finds that retention of an employee would endanger the peace and safety of others or pose a grave threat to the public interest, the employee may be summarily suspended pending administrative hearings and a review by the Career Service Review Office.

(3) (a) An employee ~~[in a]~~ with career service status who is aggrieved by a decision of the attorney general or a designated representative to suspend, demote, or dismiss the employee may appeal the decision to the Career Service Review Office or its hearing officers by following the procedures in Title 67, Chapter 19a, Grievance Procedures.

(b) Matters other than dismissal or demotion may be appealed to and reviewed by the attorney general or a designated representative whose decision is final with no right of appeal to the Career Service Review Office or its hearing officers.

(4) Disciplinary actions shall be supported by credible evidence, but the normal rules of evidence in courts of law do not apply in hearings before the attorney general or a designated representative or the Career Service Review Office or its hearing officers.

(5) (a) Reductions in force required by reinstatement of an employee under Section 67-5-11, inadequate funds, change of workload, or lack of work shall be governed by a retention roster to be maintained by the Office of the Attorney General and the requirements of this Subsection (5).

(b) Except attorney general executive or administrative appointees, ~~[employees not in a]~~ an employee without career service status shall be separated before any employee ~~[in a]~~ with career service status.

(c) Retention points for each employee ~~[in a]~~ with career service status shall be based on the employee's seniority in service within each employee category in the Office of the Attorney General, including any military service fulfilled subsequent to the employee's original appointment.

(d) Employees ~~[in]~~ with career service status shall be separated in the order of ~~[their]~~ the employees' retention points, the employee with the lowest points to be discharged first.

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(e) ~~[Those employees who are]~~ An employee serving in ~~[other positions]~~ another position under Section ~~[67-5-11]~~ 57-5-208 shall:

(i) have retention points determined as if ~~[they]~~ the employee were working for the ~~[office]~~ Office of the Attorney General; and

(ii) be separated in the order of the retention points as if ~~[they]~~ the employee were working in the Office of the Attorney General.

(f) An employee ~~[in a]~~ with career service status who is separated by reason of a reduction in force shall be:

(i) placed on a reappointment register kept by the Office of the Attorney General for one year; and

(ii) offered reappointment to a position in the same category in the Office of the Attorney General before any employee ~~[not having a]~~ without career service status is appointed.

Section ~~{7}~~ 10. Section ~~{67-5-13}~~ 67-5-210, which is renumbered from Section 67-5-13 is renumbered and amended to read:

~~[67-5-13].~~ ~~{Limitations}~~ 67-5-210. Limitations on political activities by career{ service} status employees.

(1) An employee ~~[in a]~~ with career service status:

(a) may not, while in a pay status, be a state or federal officer in any partisan political party organization or in any statewide partisan political campaign ~~[. The employee, however,];~~ and

(b) notwithstanding Subsection (1)(a), may be an officer or delegate in a partisan political party organization at a county or inferior level or a delegate at a state or national level.

(2) ~~{An employee in}~~ (a) [An] Except as provided in Subsection (2)(b), an employee [in] with career service status may not be a candidate for any partisan political office ~~[, but upon].~~

(b) (i) Upon application to the attorney general ~~[the],~~ an employee shall be granted a leave of absence without pay ~~[but] and~~ without loss of existing seniority to participate in a partisan political campaign either as an officer or as a candidate.

(ii) Time spent during ~~[the]~~ political leave ~~[shall]~~ under Subsection (2)(b)(i) may not be counted for seniority purposes as being in service.

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(iii) For the purposes of this section, an employee is not considered to be a candidate until the primary elections have been held.

(3) (a) An employee [in] with career service status may not engage in political activity during the hours of employment, nor may any person solicit political contributions from any employee [in] with career service status during hours of employment or through state facilities or in any manner impose assessments on [them] the employee for political purposes [, but nothing].

(b) Nothing in this section [shall preclude voluntary contributions] precludes a voluntary contribution to a candidate or a political party.

(4) (a) Partisan political activity [shall] may not be a basis for employment, promotion, demotion, or dismissal.

(b) Any violation of this section may lead to disciplinary action against the employee, which may consist of reprimand, suspension, demotion, or termination as determined by the attorney general.

(5) This section [shall] may not be construed to permit partisan political activity by any employee [in] with career service status who is prevented or restricted from engaging in this political activity by the provisions of any federal [act] law or the rules and regulations promulgated under [it] the federal law.

Section ~~8~~ 11. **Repealer.**

This bill repeals:

Section ~~67-5-6~~, **Attorney General Career Service Act -- Citation.**

Section ~~9~~ 12. **Effective date.**

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.

Section 13. Revisor instructions.

The Legislature intends that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, replace any reference in this bill to "the effective date of this section" with the actual effective date of this bill.