

**Senator Chris H. Wilson** proposes the following substitute bill:

**LOCAL GOVERNMENT OFFICERS COMPENSATION AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Chris H. Wilson**

House Sponsor: Paul A. Cutler

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**LONG TITLE**

**General Description:**

This bill modifies provisions relating to the compensation of certain county and municipal officers.

**Highlighted Provisions:**

This bill:

- ▶ requires a county legislative body or municipal governing body proposing a compensation increase for specified officers to hold a public hearing on the proposed increase and provide notice of the hearing; and
- ▶ repeals language relating to compensation of municipal officers.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**10-3-818**, as last amended by Laws of Utah 2023, Chapter 435

**17-16-14**, as last amended by Laws of Utah 1993, Chapter 227



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

27 Section 1. Section **10-3-818** is amended to read:

28 **10-3-818. Salaries in municipalities -- Notice.**

29 (1) The elective and statutory officers of municipalities shall receive [~~such~~] the  
30 compensation for their services [~~as~~] that the governing body [~~may fix~~] fixes by ordinance  
31 adopting compensation or compensation schedules enacted after public hearing.

32 (2) (a) As used in this Subsection (2):

33 (i) "Compensation" means:

34 (A) salary, including salary paid under a contract;

35 (B) a budgeted bonus or budgeted incentive pay;

36 (C) a vehicle allowance; and

37 (D) deferred salary.

38 (ii) "Executive municipal officer" means:

39 (A) the city or town manager or chief administrative officer;

40 (B) the assistant city or town manager or assistant city or town chief administrative  
41 officer;

42 (C) the city or town attorney;

43 (D) an individual who is the head or chief of a city or town department or division; or

44 (E) an individual who is the chief assistant or deputy of an individual described in

45 Subsection (2)(a)(ii)(D).

46 (b) A governing body shall establish the compensation for an executive municipal  
47 officer, as provided in this section.

48 (c) Before a governing body may increase any item of an executive municipal officer's  
49 compensation listed in Subsection (2)(a)(i), the governing body shall:

50 (i) hold a public hearing on the proposed increase; and

51 (ii) publish notice of the time, place, and purpose of the public hearing:

52 (A) for at least seven days before the date of the public hearing; and

53 (B) as a class A notice under Section [63G-30-102](#).

54 (d) A public hearing under Subsection (2)(c)(i):

55 (i) shall be held separate from any other public hearing; and

56 (ii) may be held the same day as another public hearing, including immediately before

57 or after the other public hearing.

58 ~~[(2) Upon its own motion the governing body may review or consider the~~  
59 ~~compensation of any officer or officers of the municipality or a salary schedule applicable to~~  
60 ~~any officer or officers of the city for the purpose of determining whether or not it should be~~  
61 ~~adopted, changed, or amended. In the event that the governing body decides that the~~  
62 ~~compensation or compensation schedules should be adopted, changed, or amended, it shall set~~  
63 ~~a time and place for a public hearing at which all interested persons shall be given an~~  
64 ~~opportunity to be heard.]~~

65 ~~[(3) Notice of the time, place, and purpose of the meeting shall be published, for at~~  
66 ~~least seven days before the day of the meeting, for the municipality, as a class A notice under~~  
67 ~~Section 63G-30-102.]~~

68 ~~[(4) After the conclusion of the public hearing, the governing body may enact an~~  
69 ~~ordinance fixing, changing, or amending the compensation of any elective or appointive officer~~  
70 ~~of the municipality or adopting a compensation schedule applicable to any officer or officers.]~~

71 ~~[(5) Any ordinance enacted before Laws of Utah 1977, Chapter 48, by a municipality~~  
72 ~~establishing a salary or compensation schedule for its elective or appointive officers and any~~  
73 ~~salary fixed prior to Laws of Utah 1977, Chapter 48, shall remain effective until the~~  
74 ~~municipality has enacted an ordinance pursuant to the provisions of this chapter.]~~

75 ~~[(6) The compensation of all municipal officers shall be paid at least monthly out of the~~  
76 ~~municipal treasury provided that municipalities having 1,000 or fewer population may by~~  
77 ~~ordinance provide for the payment of its statutory officers less frequently. None of the~~  
78 ~~provisions of this chapter shall be considered as limiting or restricting the authority to any~~  
79 ~~municipality that has adopted or does adopt a charter pursuant to Utah~~  
80 ~~Constitution, Article XI, Section 5, to determine the salaries of its elective and appointive~~  
81 ~~officers or employees.]~~

82 Section 2. Section 17-16-14 is amended to read:

83 **17-16-14. Salaries of county officers.**

84 (1) The annual salaries of the officers of all counties in the state shall be fixed by the  
85 respective county legislative bodies[, provided no changes shall be made in existing salaries of  
86 county officers until the county legislative body in a county desiring to change existing salaries  
87 of county officers shall first hold a public hearing at which all interested persons shall be given

88 ~~an opportunity to be heard~~], subject to the requirements of this section.

89 (2) (a) As used in this Subsection (2):

90 (i) "Compensation" means:

91 (A) salary, including salary paid under a contract;

92 (B) a budgeted bonus or budgeted incentive pay;

93 (C) a vehicle allowance; and

94 (D) deferred salary.

95 (ii) "Executive county officer" means:

96 (A) the county manager or chief administrative officer;

97 (B) the assistant county manager or assistant county chief administrative officer;

98 (C) an individual who is the head or chief of a county department or division; or

99 (D) an individual who is the chief assistant or deputy of an individual described in

100 Subsection (2)(a)(ii)(C).

101 (b) A county legislative body shall establish the compensation for an executive county  
102 officer, as provided in this section.

103 (c) Before a county legislative body may increase any item of an executive county  
104 officer's compensation listed in Subsection (2)(a)(i), the county legislative body shall:

105 (i) hold a public hearing on the proposed increase; and

106 (ii) publish notice of the time, place, and purpose of the public hearing:

107 (A) for at least seven days before the date of the public hearing; and

108 (B) as a class A notice under Section [63G-30-102](#).

109 (d) A public hearing under Subsection (2)(c)(i):

110 (i) shall be held separate from any other public hearing; and

111 (ii) may be held the same day as another public hearing, including immediately before

112 or after the other public hearing.

113 **Section 3. Effective date.**

114 This bill takes effect on May 1, 2024.