

Representative Paul A. Cutler 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

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) "Compensation increase" means an increase in any item of compensation listed in
39 Subsection (2)(a)(i).

40 (iii) "Executive municipal officer" means:

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

42 (B) the assistant city or town manager or assistant city or town chief administrative
43 officer;

44 (C) the city or town attorney;

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

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

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

48 (b) Before a governing body may adopt a final budget or a final amended budget that
49 includes a compensation increase for an executive municipal officer, the governing body shall:

50 (i) hold a public hearing on the compensation 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 (c) 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) "Compensation increase" means an increase in any item of compensation listed in

96 Subsection (2)(a)(i).

97 (iii) "Executive county officer" means:

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

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

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

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

102 Subsection (2)(a)(ii)(C); or

103 (E) in a county of the first class with a county executive-council form of government
104 under Section [17-52a-203](#), an individual appointed by the county executive to a position
105 requiring the advice and consent of the county legislative body, as provided by county
106 ordinance.

107 (b) Before a county legislative body may adopt a final budget or a final amended
108 budget that includes a compensation increase for an executive county officer, the county
109 legislative body shall:

110 (i) hold a public hearing on the compensation increase; and

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

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

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

114 (c) A public hearing under Subsection (2)(c)(i):

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

116 (ii) may be held the same day as another public hearing, including immediately before
117 or after the other public hearing.

118 Section 3. **Effective date.**

119

This bill takes effect on May 1, 2024.