

Bill: 3rd substitute HB 38 – County Government Amendments

Sponsor: Representative Dunnigan

Floor Sponsor: Senator McKell

UASD Position: Track

This Bill deals with provisions related to counties and special districts.

Discussion: The sponsor explained that the Bill revises several provisions related to county administration. HB 38 updates and clarifies numerous aspects of county government law. It revises and defines key terms such as “finance officer”, updates when and how a county legislative body must submit a county-seat relocation question to voters, and amends processes governing the annexation or consolidation of counties and the formation of new counties. The Bill addresses procedural issues such as handling pending criminal and civil proceedings after creating a new county, sets timing requirements for elections on optional county government form changes, and modifies rules on county costs after a change of venue. It removes the bonding requirement for county financial officers, adjusts the scope of legislative body investigations into county officers, and changes qualification or consolidation requirements for various county offices including assessor and surveyor duties. The Bill also revises election-related notice obligations, recorder indexing and fee authority, and establishes how military service record requests may be verified.

For special districts or special service districts, several provisions could be relevant. Under the Bill, county interactions with infrastructure financing districts and the consolidation or annexation of territory may be updated as part of county boundary and service reconfiguration processes; county treasurers are expressly authorized to contract with special districts to bill and collect assessments on their behalf; and surveyor fee and boundary provisions may affect infrastructure or service district operations. While HB 38 mainly focuses on county structures and officials, those changes intersect with special district governance and county-district cooperation in areas such as financial administration, service territory changes, and tax/assessment processes.

The Utah Association of Counties (“UAC”) clarified the distinction between the roles of a “finance officer” and an “auditor”. Senator McKell spoke in support of the Bill.

Yeas: 6

Nays: 0

N/V: 1

Outcome: 3rd substitute HB 38 passed out of the Committee with a favorable recommendation.
