

County Office Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: James A. Dunnigan

LONG TITLE**Committee Note:**

The Political Subdivisions Interim Committee recommended this bill.

Legislative Vote: 11 voting for 0 voting against 5 absent

General Description:

This bill modifies how county officers and county legislative bodies maintain office space and hold meetings.

Highlighted Provisions:

This bill:

- provides that a county legislative body may authorize the elected county officers of the county to maintain additional office space at a location within the county that is not at the county seat;

- provides that a county legislative body may have a regular meeting of the county legislative body at the county seat or another location within the county that is established by ordinance; and

- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-16-9, as last amended by Laws of Utah 2011, Chapter 297

17-23-1, as last amended by Laws of Utah 2001, Chapter 241

17-53-204, as renumbered and amended by Laws of Utah 2000, Chapter 133

20A-4-201, as last amended by Laws of Utah 2020, Chapter 31

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

Section 1. Section **17-16-9** is amended to read:

32 **17-16-9 . Officers at county seats -- Office hours.**

33 (1)(a) The elected county officers of [~~all counties~~] a county, except [~~those in counties~~
34 ~~having a~~] a county with a population of less than 8,000, shall have [~~their~~] offices at
35 the county [~~seats~~] seat.

36 (b) A county legislative body may authorize the elected county officers of the county to
37 maintain additional office space at a location within the county that is not at the
38 county seat.

39 (2)(a) In all counties the clerk, sheriff, recorder, auditor, treasurer, assessor, and
40 attorney shall keep [~~their offices~~] office space open for the transaction of business as
41 authorized by resolution of the county legislative body.

42 (b) If the county legislative body does not authorize hours of operation for Saturdays,
43 then the hours served by the employees of the county may not be less than under their
44 present schedule.

45 (c)(i) Any act authorized, required, or permitted to be performed at or by, or with
46 respect to, any county office on a Saturday when the county office is closed, may
47 be performed on the next business day.

48 (ii) No liability or loss of rights of any kind may result from the delay described in
49 Subsection (2)(c)(i).

50 Section 2. Section **17-23-1** is amended to read:

51 **17-23-1 . County surveyor to be elected -- Requirement to be licensed land**
52 **surveyor -- Authority to contract with licensed land surveyor if no elected county**
53 **surveyor -- County surveyor duties.**

54 (1)(a) The office of the county surveyor in each county shall be filled by election and,
55 except as provided in Subsection (1)(b), the county surveyor shall be a licensed
56 professional land surveyor in the state.

57 (b) In a county where the office of county surveyor is consolidated with another elected
58 office, all county surveying work shall be performed by a licensed professional land
59 surveyor.

60 (c) In a county where there is no elected county surveyor:

61 (i) the county executive or legislative body may, consistent with Section 17-53-313,
62 contract with a licensed professional land surveyor to perform those duties;

63 (ii) all county survey work shall be done by a licensed land surveyor;

64 (iii) the county recorder shall assume and perform all statutory functions and duties
65 of the county surveyor related to the retention and maintenance of survey records;

- 66 (iv) the recorder's office shall act as the county surveyor's office only for the purpose
67 of accepting, retaining, and managing county survey records;
- 68 (v) the county shall furnish sufficient office space, furniture, stationery, and record
69 books necessary for the county recorder's office to fulfill its functions and duties
70 under Subsection (1)(c)(iv); and
- 71 (vi) for purposes of this chapter, "county surveyor" means:
- 72 (A) for purposes of the retention and management of county survey records, the
73 county recorder; and
- 74 (B) except as provided in Subsection (1)(c)(vi)(A), the licensed land surveyor
75 under contract with the county to perform county surveyor duties.
- 76 (2) The county surveyor shall execute:
- 77 (a) all orders directed to the surveyor by any court; and
- 78 (b) all orders of survey required by the county executive or county legislative body.
- 79 (3)(a) The surveyor of each county shall:
- 80 (i) advise the county executive and county legislative body regarding all surveying
81 work;
- 82 (ii) perform or arrange for the performance of all surveying work for the county;
- 83 (iii) permanently keep at county government offices[~~at the county seat~~] a fair and
84 accurate record of all surveys made, including legal descriptions and geographic
85 coordinates, all surveys received pursuant to Section 17-23-17, and all corner files
86 received pursuant to Section 17-23-17.5;
- 87 (iv) number progressively all surveys received and state by whom and for whom the
88 surveys were made;
- 89 (v) deliver a copy of any survey to any person or court requiring the survey after the
90 payment of the fee established by the county legislative body;
- 91 (vi) ensure that all surveys of legal subdivisions of sections are made according to the
92 United States Manual of Surveying Instructions in effect at the time the survey is
93 completed;
- 94 (vii) verify the correctness of or establish correct coordinates for all survey reference
95 monuments set in place and shown on all subdivision maps and plats which have a
96 spatial relationship with any section or quarter section corner; and
- 97 (viii) perform other duties required by law.
- 98 (b) In arranging for the performance of surveying work for the county under Subsection
99 (3)(a)(ii), a surveyor may comply with Section 17-53-313.

- 100 (4)(a) The county surveyor or ~~[his]~~ the county surveyor's designee shall establish all
 101 corners of government surveys and reestablish all corners of government surveys
 102 where corners have been destroyed and where witness markers or other evidences of
 103 the government corners remain so that the corners established by government survey
 104 can be positively located.
- 105 (b) The corners shall be reestablished in the manner provided in Section 17-23-13 for
 106 establishing corners.
- 107 (c) The county surveyor shall keep a separate record of the established and reestablished
 108 corners of government surveys, giving the date and names of persons present and
 109 shall provide those records to ~~[his]~~ the county surveyor's successor when ~~[he]~~ the
 110 county surveyor vacates ~~[his]~~ office.
- 111 (d) Established or reestablished corners shall be recognized as the legal and permanent
 112 corners.
- 113 (5) The county executive or legislative body may direct the county surveyor or ~~[his]~~ county
 114 surveyor staff to perform engineering and architectural work if the county surveyor or [
 115 ~~his]~~ county surveyor staff is qualified and licensed to perform that work.

116 Section 3. Section **17-53-204** is amended to read:

117 **17-53-204 . Meetings -- At county seat -- Exception.**

- 118 (1)(a) The county legislative body shall provide by ordinance for the holding of regular
 119 meetings of the county legislative body.
- 120 (b) The county legislative body may cancel a regular meeting as the county legislative
 121 body considers appropriate.
- 122 (2)(a) Except as provided in Subsection (2)(b), each regular meeting of the county
 123 legislative body shall be held at:
 124 (i) the county seat[-] ; or
 125 (ii) a location within the county, established by county ordinance.
- 126 (b) If approved by a vote of the county legislative body, a county legislative body may
 127 hold an occasional meeting ~~[outside the county seat]~~ in a location not described in
 128 Subsection (2)(a) but within the county as the public business requires.

129 Section 4. Section **20A-4-201** is amended to read:

130 **20A-4-201 . Delivery of election returns.**

- 131 (1) At least two poll workers shall deliver the ballots and other items described in
 132 Subsection 20A-4-103(3)(d) to:
 133 (a) the election officer; or

- 134 (b) the location directed by the election officer.
- 135 (2)(a) Before they adjourn, the poll workers shall choose two or more of their number to
136 deliver the election returns to the election officer.
- 137 (b) The poll workers shall[;]
138 [(†)] _deliver the unopened envelopes to the election officer or counting center
139 immediately but no later than 24 hours after the polls close[; or] _
140 [(ii) if the polling place is 15 miles or more from the county seat, mail the election
141 returns to the election officer by registered mail from the post office most
142 convenient to the polling place within 24 hours after the polls close.]
- 143 (3) The election officer shall pay each poll worker reasonable compensation for travel that
144 is necessary to deliver the election returns and to return to the polling place.
- 145 (4) The requirements of this section do not prohibit transmission of the unofficial vote
146 count to the counting center via electronic means, provided that reasonable security
147 measures are taken to preserve the integrity and privacy of the transmission.

148 **Section 5. Effective Date.**

149 This bill takes effect on May 7, 2025.