

1 **County Career Service Council Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael J. Petersen**

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3 **LONG TITLE**

4 **General Description:**

5 This bill modifies provisions related to county career service councils.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ provides that a county career service council may award reasonable attorney fees to a  
9 prevailing career service county employee;

10 ▶ provides that an appointment to fill a vacancy on the career service council shall be only  
11 for the unexpired term of the appointee's predecessor; and

12 ▶ makes technical and conforming changes.

13 **Money Appropriated in this Bill:**

14 None

15 **Other Special Clauses:**

16 None

17 **Utah Code Sections Affected:**

18 AMENDS:

19 **17-33-4**, as last amended by Laws of Utah 2017, Chapter 70

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

22 Section 1. Section **17-33-4** is amended to read:

23 **17-33-4 . Career service council -- Members and alternate members -- Powers**  
24 **and duties -- Appeals -- Time limit -- Qualifications, appointment, terms, and**  
25 **compensation of council members.**

26 (1)(a)(i) [~~There shall be in each~~] Each county [~~establishing a system~~] shall establish a  
27 three-member bipartisan career service council with members appointed by the  
28 county executive.

29 (ii) The members of the career service council shall be persons in sympathy with the  
30 application of merit principles to public employment.

31 [~~(ii)~~] (iii)(A) The county executive may appoint alternate members of the career

32 service council to hear appeals that one or more regular career service council  
33 members are unable to hear.

34 (B) The term of an alternate member of the career service council may not exceed  
35 one year.

36 (b) The career service council shall hear appeals not resolved at lower levels in the cases  
37 of career service employees suspended, transferred, demoted, or dismissed as well in  
38 the cases of other grievances not resolved by the grievance procedure at the division  
39 or departmental level.

40 (c) The career service council:

41 (i) may make an initial determination in each appeal whether the appeal is one of the  
42 types of matters under Subsection (1)(b) over which the career service council has  
43 jurisdiction;

44 (ii) shall, subject to Section 17-33-4.5, review written appeals in cases of applicants  
45 rejected for examination~~[-and]~~ ;

46 (iii) shall report final binding appeals decisions, in writing, to the county legislative  
47 body;

48 ~~[(iii)] (iv)~~ may not hear any ~~[other]~~ personnel ~~[matter]~~ matters other than those  
49 described in this section;~~[-and]~~

50 ~~[(iv)] (v)~~ may affirm, modify, vacate, or set aside an order for disciplinary action~~[-]~~ ;  
51 and

52 (vi) may award reasonable attorney fees to a prevailing county employee.

53 ~~[(d)]~~

54 ~~[(i)] (2)(a)~~ A ~~[person]~~ county employee adversely affected by a decision of the career  
55 service council may appeal the decision to the district court.

56 ~~[(ii)] (b)~~ An appeal to the district court under this Subsection ~~[(1)(d)] (2)~~ is barred unless  
57 it is filed within 30 days after the career service council issues ~~[its]~~ the decision.

58 ~~[(iii)] (c)~~ If there is a record of the career service council proceedings, the district court  
59 review shall be limited to the record provided by the career service council.

60 ~~[(iv)] (d)~~ In reviewing a decision of the career service council, the district court shall  
61 presume that the decision is valid and may determine only whether the decision is  
62 arbitrary or capricious.

63 ~~[(2)] (3)(a)~~ Each career service council member shall serve a term of three years to  
64 expire on June 30, three years after the date of ~~[his or her]~~ the member's appointment~~[-]~~;  
65 ~~except that original appointees shall be chosen as follows: one member for a term~~

66 expiring June 30, 1982; one member for a term expiring June 30, 1983; and one  
 67 member for a term expiring June 30, 1984].

68 (b) ~~[Successors]~~ Except as described in Subsections (3)(c) and (d), successors of original  
 69 career service council members shall be chosen for three-year terms.

70 (c) An appointment to fill a mid-term vacancy on the career service council shall be for  
 71 only the unexpired term of the appointee's ~~[successor]~~ predecessor.

72 (d) Each member of the ~~[board]~~ career service council shall hold office until ~~[his]~~ the  
 73 member's successor is appointed and confirmed.

74 (4) A member of the career service council may be removed by the county executive for  
 75 cause, after having been given a copy of the charges against ~~[him or her]~~ the member and  
 76 an opportunity to be heard publicly on the charges before the county legislative body.

77 (5) ~~[Adequate]~~ Each county shall ensure annual appropriations ~~[shall]~~ be made available to  
 78 enable the career service council to effectively ~~[to]~~ carry out ~~[its]~~ the career service  
 79 council's duties under this ~~[law]~~ section.

80 ~~[(3)]~~ (6) Members and alternates of the career service council shall be United States citizens  
 81 and be actual and bona fide residents of the state of Utah and the county from which  
 82 appointed for a period of not less than one year preceding the date of appointment and a  
 83 member of a career service council may not hold another government office or be  
 84 employed by the county in which the member serves.

85 ~~[(4)]~~ (7) The career service council shall elect one of its members as chairperson, and two or  
 86 more members of the council shall constitute a quorum necessary for carrying on the  
 87 business and activity of the career service council.

88 ~~[(5)]~~ (8) The career service council shall have subpoena power to compel attendance of  
 89 witnesses, and to authorize witness fees where ~~[it deems]~~ appropriate, to be paid at the  
 90 same rate as in justice courts.

91 ~~[(6)]~~ (9)(a) ~~[Council]~~ Career service council members shall receive compensation for  
 92 each day or partial day ~~[they are]~~ the career service council is in session at a per diem  
 93 rate established in accordance with Section 11-55-103.

94 (b) An alternate member of the career service council shall receive compensation for  
 95 each day or partial day that the alternate member is required to replace a regular  
 96 career service council member at a career service council session, at a per diem rate  
 97 established in accordance with Section 11-55-103.

98 Section 2. **Effective Date.**

99 This bill takes effect on May 7, 2025.