

1 **LOCAL GOVERNMENT OFFICERS COMPENSATION AMENDMENTS**
2 2024 GENERAL SESSION
3 STATE OF UTAH
4 **Chief Sponsor: Chris H. Wilson**
5 House Sponsor: Paul A. Cutler

6
7 **LONG TITLE**

8 **General Description:**

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

11 **Highlighted Provisions:**

12 This bill:

- 13 ▸ requires a county legislative body or municipal governing body proposing a
14 compensation increase for specified officers to hold a public hearing on the proposed increase
15 and provide notice of the hearing; and

- 16 ▸ repeals language relating to compensation of municipal officers.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **10-3-818**, as last amended by Laws of Utah 2023, Chapter 435

24 **17-16-14**, as last amended by Laws of Utah 1993, Chapter 227

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

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

27 **10-3-818 . Salaries in municipalities -- Notice.**

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

- 31 (2) (a) As used in this Subsection (2):

- 29 (i) "Compensation" means:
 30 (A) salary, including salary paid under a contract;
 31 (B) a budgeted bonus or budgeted incentive pay;
 32 (C) a vehicle allowance; and
 33 (D) deferred salary.
- 34 (ii) "Compensation increase" means an increase in any item of compensation listed in
 35 Subsection (2)(a)(i).
- 36 (iii) "Executive municipal officer" means:
 37 (A) the city or town manager or chief administrative officer;
 38 (B) the assistant city or town manager or assistant city or town chief
 39 administrative officer;
 40 (C) the city or town attorney;
 41 (D) an individual who is the head or chief of a city or town department or
 42 division; or
 43 (E) an individual who is the chief assistant or deputy of an individual described in
 44 Subsection (2)(a)(ii)(D).
- 45 (b) Before a governing body may adopt a final budget or a final amended budget that
 46 includes a compensation increase for an executive municipal officer, the governing
 47 body shall:
- 48 (i) hold a public hearing on the compensation increase; and
 49 (ii) publish notice of the time, place, and purpose of the public hearing:
 50 (A) for at least seven days before the date of the public hearing; and
 51 (B) as a class A notice under Section 63G-30-102.
- 52 (c) A public hearing under Subsection (2)(b)(i):
 53 (i) shall be held separate from any other public hearing; and
 54 (ii) may be held the same day as another public hearing, including immediately
 55 before or after the other public hearing.
- 56 [~~(2) Upon its own motion the governing body may review or consider the compensation of~~
 57 ~~any officer or officers of the municipality or a salary schedule applicable to any officer~~
 58 ~~or officers of the city for the purpose of determining whether or not it should be adopted,~~
 59 ~~changed, or amended. In the event that the governing body decides that the~~
 60 ~~compensation or compensation schedules should be adopted, changed, or amended, it~~
 61 ~~shall set a time and place for a public hearing at which all interested persons shall be~~
 62 ~~given an opportunity to be heard.]~~

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

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

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

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

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

82 **17-16-14 . Salaries of county officers.**

83 (1) The annual salaries of the officers of all counties in the state shall be fixed by the
84 respective county legislative bodies[, provided no changes shall be made in existing
85 salaries of county officers until the county legislative body in a county desiring to
86 change existing salaries of county officers shall first hold a public hearing at which all
87 interested persons shall be given an opportunity to be heard] , subject to the requirements
88 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
104 government under Section 17-52a-203, an individual appointed by the county
105 executive to a position requiring the advice and consent of the county
106 legislative body, as provided by county ordinance.
- 107 (b) Before a county legislative body may adopt a final budget or a final amended budget
108 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)(b)(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
117 before or after the other public hearing.

118 **Section 3. Effective date.**

119 This bill takes effect on May 1, 2024.