

ETHICS PROVISIONS

Executive Summary

Ethics Provisions From Constitution, Statute, & Rule



Prepared by the Office of Legislative Research and
General Counsel (June 2012)

ETHICS PROVISIONS FROM CONSTITUTION, STATUTE, & RULE

UTAH CONSTITUTION

ARTICLE VI. LEGISLATIVE DEPARTMENT

- [Section 6.](#) [Who ineligible as legislator.]
- [Section 7.](#) [Ineligibility of legislator to office created at term for which elected.]
- [Section 8.](#) [Legislator, privilege from arrest.]
- [Section 9.](#) [Compensation of legislators -- Citizens' salary commission.]
- [Section 10.](#) [Each house to be judge of election, and qualifications of its members -- Expulsion.]
- [Section 31.](#) [Additional compensation of legislators.]

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- [JR6-1-202.](#) Disclosure of Outside Remuneration
- [JR6-1-301.](#) Ethics Training Course -- Internet Availability -- Content -- Participation Tracking
- [JR6-6-101.](#) Communications with the Judiciary
- [JR6-6-102.](#) Exceptions -- Acting in Normal Course of Private Employment
- [SR2-3-101.](#) Reporting Conflict of Interest
- [HR2-3-101.](#) Reporting Conflicts of Interest
- [HR4-7-103.](#) Representatives Required to Vote - Representatives Must Be Present to Vote

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- [63G-6-1001.](#) Felony to accept emolument
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ETHICS PROVISIONS FROM CONSTITUTION, STATUTE, & RULE

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- [20A-1-602.](#) Receiving bribe -- Receiving payments for votes -- Penalties
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- [20A-1-609.](#) Omnibus penalties

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ETHICS PROVISIONS FROM CONSTITUTION, STATUTE, & RULE

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LOBBYING RESTRICTIONS ACT

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ETHICS PROVISIONS FROM CONSTITUTION, STATUTE, & RULE

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ETHICS PROVISIONS FROM CONSTITUTION, STATUTE, & RULE

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[JR6-4-302](#). Review of Ethics Complaint by Ethics Committee

[JR6-4-303](#). Record -- Recording of Meetings

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[JR6-5-101](#). Senate and House Action

EXECUTIVE SUMMARY

ETHICAL STANDARDS FOR LEGISLATORS

Conflicts of Interest

- A legislator must file a financial disclosure form.
- A legislator may not:
 - receive compensation to endorse an appointment of a public servant;
 - receive income for lobbying or for furthering legislative interests, except from a person that provides the legislator's primary source of income;
 - accept employment that would impair independent judgment or interfere with ethical performance of duties; and
 - conduct business with the state or a local government on different conditions than others or without public notice and competitive bidding.

Corrupt Practices

- A legislator may not:
 - destroy or withhold records belonging to the legislative office; or
 - solicit or receive any benefit with the understanding that the benefit is given with the intent of influencing an action or opinion.

Abuse of Office

- A legislator may not use the legislative office to:
 - disclose or improperly use protected information;
 - further economic interest;
 - secure privileges; or
 - exercise undue influence on a governmental entity.

ELECTION OFFENSES AND CAMPAIGN FINANCE

- A legislator must report contributions and expenditures as a candidate or an office holder on campaign financial statements.
 - A year-end summary statement is due January 10 and interim reports are due seven days before a candidate's political convention; seven days before the primary election; August 31; and seven days before the general election.
- A candidate or office holder may not use campaign funds for personal use expenditures.
- During the general session, veto override session, or a special session a person may not make a campaign contribution or agree or promise to make a contribution.

EXECUTIVE SUMMARY

REGULATION OF LOBBYISTS

- Lobbying is communicating with a public official to influence legislative or executive action. A lobbyist is a person who is employed or has a contract to lobby a public official.

Lobbyist Expenditures

- In general, a lobbyist, principal, or government officer may not spend more than \$10 a day on a legislator. This includes expenditures for a sporting, recreational, or artistic event.
- If reported by the legislator's name, a lobbyist, principal, or government officer may spend more than \$10 for:
 - food, beverage, travel, lodging, or attendance at a meeting or activity; or
 - a purpose solely unrelated to a person's position as a legislator.
- The following are some of the expenditures not regulated by the Lobbyist Disclosure and Regulation Act:
 - food or beverage that is provided at an event to which official groups of legislators are invited or at which a legislator is speaking or receiving an award;
 - an award presented in public that is less than \$50;
 - an event that is sponsored by a governmental entity or that is widely attended and related to a governmental duty of a public official;
 - travel to a widely attended event related to a governmental duty of a public official if that travel results in a financial savings to the state;
 - admission to or attendance at an event where the primary purpose is charitable or political fund raising; or
 - expenses associated with a meeting or activity approved by the President or the Speaker.

Lobbying Restrictions

- A lobbyist may not:
 - receive compensation contingent upon passage or defeat of a legislative action;
 - seek to influence a legislator through the legislator's employer;
 - intentionally communicate false information related to matters within the responsibility of a public official;
 - make or promise to make a campaign contribution during an annual general session, veto override session, or a special session.
- Except under certain circumstances, a legislator or other state elected official may not become a lobbyist for one calendar year after leaving office.