

1 **RESTRICTIONS ON POLITICAL**
2 **ACTIVITIES OF CERTAIN PUBLIC**
3 **EMPLOYEES**

4 1999 GENERAL SESSION

5 STATE OF UTAH

6 **Sponsor: Neil A. Hansen**

7 AN ACT RELATING TO CITIES AND TOWNS; PROHIBITING CITIES AND TOWNS FROM
8 LIMITING THE POLITICAL ACTIVITY OF EMPLOYEES OCCURRING ON THEIR OWN
9 TIME.

10 This act affects sections of Utah Code Annotated 1953 as follows:

11 ENACTS:

12 **10-3-1108**, Utah Code Annotated 1953

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

14 Section 1. Section **10-3-1108** is enacted to read:

15 **10-3-1108. Municipality may not limit employee's political activity on employee's own**
16 **time.**

17 (1) For purposes of this section:

18 (a) "On the employee's own time" means occurring:

19 (i) at a time when the employee is not working within the course and scope of the
20 employee's employment with the governmental entity; and

21 (ii) under circumstances that would lead a reasonable person to conclude that the employee
22 is not acting on behalf of the governmental entity.

23 (b) "Political activity" means any activity in which an employee engages related to the
24 political process at the federal, state, or local level, including soliciting or receiving a campaign
25 contribution for a candidate or issue, distributing written campaign materials, making contact with
26 a potential voter about a candidate or issue, or another activity related to the political process.

27 (2) Except as otherwise provided by federal law, no municipality may limit or prohibit an

28 employee of the municipality from participating in a political activity on the employee's own time.

Legislative Review Note
as of 2-10-99 6:47 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel