	JOINT RULES RESOLUTION ON FINANCIAL
	DISCLOSURES
	2010 GENERAL SESSION
	STATE OF UTAH
	<b>Chief Sponsor: Gregory H. Hughes</b>
	Senate Sponsor: Wayne L. Niederhauser
L	ONG TITLE
G	eneral Description:
	This resolution modifies provisions of the Legislative Joint Rules relating to the
de	eclaration and disclosure of conflicts of interest and filing financial disclosures.
H	ighlighted Provisions:
	This resolution:
	<ul> <li>modifies and creates definitions;</li> </ul>
	<ul> <li>requires each legislator to file a financial disclosure form;</li> </ul>
	<ul> <li>provides filing deadlines and requirements for the form;</li> </ul>
	<ul> <li>specifies the content of the form;</li> </ul>
	<ul> <li>requires the form to be made available on the Internet and in legislative offices; an</li> </ul>
	<ul> <li>makes technical changes.</li> </ul>
Sp	pecial Clauses:
	This resolution provides an immediate effective date.
Le	egislative Rules Affected:
A	MENDS:
	JR6-1-201

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## H.J.R. 14

01-29-10 10:23 AM

28	Part 2. Conflicts of Interest
29	JR6-1-201. Declaring and Recording Conflicts of Interest.
30	[(1) As used in this section:]
31	[(a) (i) "Business in which the legislator is associated" means any business in which a
32	legislator is a director, officer, owner, member, partner, employee, or is a holder of stocks or
33	bonds in the company that have a fair market value of \$10,000 or more.]
34	[(ii) "Business in which the legislator is associated" does not include business
35	associations by members of the legislator's immediate family.]
36	[(b) "Conflict of interest" means legislation or action by a legislator that the legislator
37	reasonably believes may cause direct financial benefit or detriment to him, a member of the
38	legislator's immediate family, or a business in which the legislator is associated, and that
39	benefit or detriment is distinguishable from the effects of that action on the public or on the
40	legislator's profession, occupation, or association generally.]
41	[(c) "Immediate family" means the legislator's spouse and children living in the
42	legislator's immediate household.]
43	[(2) (a) (i) A legislator shall file a Declaration of Conflict of Interest form with the
44	Secretary of the Senate if the legislator is a Senator, or with the Chief Clerk of the House of
45	Representatives if the legislator is a Representative, to satisfy that legislator's disclosure of any
46	conflicts of interest as required by Subsection (1) and Utah Code Section 76-8-109.]
47	[(ii) The legislator shall file the form when:]
48	[(A) the legislator takes the oath of office; and]
49	[(B) the legislator changes employment.]
50	[(b) This Declaration of Conflict of Interest form shall include:]
51	[(i) the businesses in which the legislator is associated; and]
52	[(ii) the general legislative subject areas in which the legislator may have a conflict of
53	interest.]
54	(1) As used in this section, "conflict of interest" is as defined in Section 76-8-109.
55	(2) A legislator shall file a financial disclosure form in compliance with Section
56	76-8-109 and according to the requirements of this section:
57	(a) on the first day of each general session of the Legislature; and
58	(b) each time the legislator changes employment.

### 01-29-10 10:23 AM

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59	(3) The financial disclosure form shall include the disclosures required by Section
60	<u>76-8-109.</u>
61	(4) (a) The financial disclosure form shall be filed with:
62	(i) the Secretary of the Senate, for a legislator that is a Senator; or
63	(ii) the Chief Clerk of the House of Representatives, for a legislator that is a
64	Representative.
65	(b) The Secretary of the Senate and the Chief Clerk of the House of Representatives
66	shall ensure that:
67	(i) blank financial disclosure forms are made available on the Internet and at the offices
68	of the Senate and the House of Representatives; and
69	[(c)] (ii) [This Declaration of Conflict of Interest form is] financial disclosure forms
70	filed under this rule are made available to the public[-] on the Internet and at the offices of the
71	Senate or the House of Representatives.
72	[(3)] (5) (a) Before or during any vote on legislation or any legislative matter in which
73	a legislator has actual knowledge that [he] the legislator has a conflict of interest which is not
74	stated on the [conflict of interest] financial disclosure form, that legislator shall orally declare
75	to the committee or body before which the matter is pending:
76	(i) that the legislator may have a conflict of interest; and
77	(ii) what that conflict is.
78	(b) The Secretary of the Senate or the Chief Clerk of the House of Representatives
79	shall:
80	(i) direct committee secretaries to note the declaration of conflict of interest in the
81	minutes of any committee meeting; and
82	(ii) ensure that each declaration of conflict declared on the floor is noted in the Senate
83	Journal or House Journal.
84	[(4)] (6) This requirement of disclosure of any conflict of interest does not prohibit a
85	legislator from voting on any legislation or legislative matter.
86	Section 2. Effective date.
87	This resolution takes effect upon approval by a constitutional majority vote of all
88	members of the Senate and House of Representatives.

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Legislative Review Note as of 1-29-10 10:12 AM

Office of Legislative Research and General Counsel

#### H.J.R. 14 - Joint Rules Resolution on Financial Disclosures

### **Fiscal Note**

2010 General Session

State of Utah

#### **State Impact**

Enactment of this bill will not require additional appropriations.

#### Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

1/30/2010, 6:11:45 PM, Lead Analyst: Bleazard, M./Attny: ENW

Office of the Legislative Fiscal Analyst