



**Part 2. Conflicts of Interest****JR6-1-201. Declaring and Recording Conflicts of Interest.**

~~[(1) As used in this section:]~~

~~[(a) (i) "Business in which the legislator is associated" means any business in which a legislator is a director, officer, owner, member, partner, employee, or is a holder of stocks or bonds in the company that have a fair market value of \$10,000 or more.]~~

~~[(ii) "Business in which the legislator is associated" does not include business associations by members of the legislator's immediate family.]~~

~~[(b) "Conflict of interest" means legislation or action by a legislator that the legislator reasonably believes may cause direct financial benefit or detriment to him, a member of the legislator's immediate family, or a business in which the legislator is associated, and that benefit or detriment is distinguishable from the effects of that action on the public or on the legislator's profession, occupation, or association generally.]~~

~~[(c) "Immediate family" means the legislator's spouse and children living in the legislator's immediate household.]~~

~~[(2) (a) (i) A legislator shall file a Declaration of Conflict of Interest form with the Secretary of the Senate if the legislator is a Senator, or with the Chief Clerk of the House of Representatives if the legislator is a Representative, to satisfy that legislator's disclosure of any conflicts of interest as required by Subsection (1) and Utah Code Section 76-8-109.]~~

~~[(ii) The legislator shall file the form when:]~~

~~[(A) the legislator takes the oath of office; and]~~

~~[(B) the legislator changes employment.]~~

~~[(b) This Declaration of Conflict of Interest form shall include:]~~

~~[(i) the businesses in which the legislator is associated; and]~~

~~[(ii) the general legislative subject areas in which the legislator may have a conflict of interest.]~~

(1) As used in this section, "conflict of interest" is as defined in Section 76-8-109.

(2) A legislator shall file a financial disclosure form in compliance with Section 76-8-109 and according to the requirements of this section:

(a) on the first day of each general session of the Legislature; and

(b) each time the legislator changes employment.

59           (3) The financial disclosure form shall include the disclosures required by Section  
60 76-8-109.

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.

---

---

**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.

---