

1                   **LIMITATIONS ON OUTSIDE EMPLOYMENT BY**  
2                   **GOVERNMENT EMPLOYEE**

3                   2013 GENERAL SESSION

4                   STATE OF UTAH

5                   **Chief Sponsor: Todd Weiler**

6                   House Sponsor: Spencer J. Cox

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8 **LONG TITLE**

9 **General Description:**

10           This bill amends and adds provisions to Title 67, Chapter 25, General Requirements for  
11 State Officers and Employees.

12 **Highlighted Provisions:**

13           This bill:

- 14           ▶ defines terms;
- 15           ▶ requires the office of an executive branch elected official to make rules placing  
16 restrictions on outside employment by an employee who is under the direction or  
17 control of the executive branch elected official;
- 18           ▶ establishes requirements for the rules described in the preceding paragraph;
- 19           ▶ requires that certain management level employees shall be subject to the same  
20 restrictions on outside employment as a career service employee; and
- 21           ▶ makes technical changes.

22 **Money Appropriated in this Bill:**

23           None

24 **Other Special Clauses:**

25           None

26 **Utah Code Sections Affected:**

27 AMENDS:



28 **67-25-102**, as enacted by Laws of Utah 2011, Chapter 442

29 ENACTS:

30 **67-25-301**, Utah Code Annotated 1953

31 **67-25-302**, Utah Code Annotated 1953



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

34 Section 1. Section **67-25-102** is amended to read:

35 **67-25-102. Definitions.**

36 As used in this chapter[, "state"]:

37 (1) "Career service employee" is as defined in Section 67-19-3.

38 (2) "Executive branch elected official" means:

39 (a) the governor;

40 (b) the lieutenant governor;

41 (c) the attorney general;

42 (d) the state treasurer; or

43 (e) the state auditor.

44 (3) "Executive branch official" means an individual who:

45 (a) is a management level employee of an executive branch elected official; and

46 (b) is not a career service employee.

47 (4) "State agency" means a department, division, board, council, committee, institution,  
48 office, bureau, or other similar administrative unit of the executive branch of state government.

49 Section 2. Section **67-25-301** is enacted to read:

50 **Part 3. Restrictions on Outside Employment**

51 **67-25-301. Title.**

52 This part is known as "Restrictions on Outside Employment."

53 Section 3. Section **67-25-302** is enacted to read:

54 **67-25-302. Restrictions on outside employment by executive branch employees.**

55 (1) The office of an executive branch elected official shall make rules, in accordance  
56 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, placing restrictions on  
57 outside employment by an employee who is under the direction or control of the executive  
58 branch elected official.

59           (2) The rules described in Subsection (1) shall prevent outside employment that  
60 constitutes:

61           (a) a conflict of interest or that otherwise interferes with the ability of an employee to  
62 fulfill the employee's job responsibilities;

63           (b) the practice of law; or

64           (c) political services, political consultation, or lobbying.

65           (3) An executive branch official shall be subject to the same restrictions on outside  
66 employment as a career service employee.

67           (4) This section does not prohibit an executive branch official from advocating the  
68 position of the state office that employs the executive branch official regarding legislative  
69 action or other government action.

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**Legislative Review Note**  
as of 2-12-13 6:56 PM

**Office of Legislative Research and General Counsel**