

Effective 3/1/2018

Superseded 5/14/2019

20A-11-1602 Definitions.

As used in this part:

- (1) "Conflict of interest" means an action that is taken by a regulated officeholder that the officeholder reasonably believes may cause direct financial benefit or detriment to the officeholder, a member of the officeholder's immediate family, or an individual or entity that the officeholder is required to disclose under the provisions of this section, if that benefit or detriment is distinguishable from the effects of that action on the public or on the officeholder's profession, occupation, or association generally.
- (2) "Entity" means a corporation, a partnership, a limited liability company, a limited partnership, a sole proprietorship, an association, a cooperative, a trust, an organization, a joint venture, a governmental entity, an unincorporated organization, or any other legal entity, regardless of whether it is established primarily for the purpose of gain or economic profit.
- (3) "Filing officer" means:
 - (a) the lieutenant governor, for the office of a state constitutional officer or State Board of Education member; or
 - (b) the county clerk in the county of the candidate's residence, for a state legislative office.
- (4) "Immediate family" means the regulated officeholder's spouse, a child living in the regulated officeholder's immediate household, or an individual claimed as a dependent for state or federal income tax purposes by the regulated officeholder.
- (5) "Income" means earnings, compensation, or any other payment made to an individual for gain, regardless of source, whether denominated as wages, salary, commission, pay, bonus, severance pay, incentive pay, contract payment, interest, per diem, expenses, reimbursement, dividends, or otherwise.
- (6)
 - (a) "Owner or officer" means an individual who owns an ownership interest in an entity or holds a position where the person has authority to manage, direct, control, or make decisions for:
 - (i) the entity or a portion of the entity; or
 - (ii) an employee, agent, or independent contractor of the entity.
 - (b) "Owner or officer" includes:
 - (i) a member of a board of directors or other governing body of an entity; or
 - (ii) a partner in any type of partnership.
- (7) "Preceding year" means the year immediately preceding the day on which the regulated officeholder files a financial disclosure form.
- (8) "Regulated officeholder" means an individual who is required to file a financial disclosure form under the provisions of this part.
- (9) "State constitutional officer" means the governor, the lieutenant governor, the state auditor, the state treasurer, or the attorney general.