

**Effective 3/28/2016**

**63G-6a-2407 Duty to report unlawful conduct.**

- (1) As used in this section, "unlawful conduct" means:
  - (a) conduct made unlawful under this part; or
  - (b) conduct, including bid rigging, improperly steering a contract to a favored vendor, exercising undue influence on an individual involved in the procurement process, or participating in collusion or other anticompetitive practices, made unlawful under other applicable law.
- (2)
  - (a) A procurement professional with actual knowledge that a person has engaged in unlawful conduct shall report the person's unlawful conduct to:
    - (i) the state auditor; or
    - (ii) the attorney general or other appropriate prosecuting attorney.
  - (b) An individual not subject to the requirement of Subsection (2)(a) who has actual knowledge that a person has engaged in unlawful conduct may report the person's unlawful conduct to:
    - (i) the state auditor; or
    - (ii) the attorney general or other appropriate prosecuting attorney.
- (3) A procurement professional who fails to comply with the requirement of Subsection (2)
  - (a) is subject to any applicable disciplinary action or civil penalty identified in Subsection 63G-6a-2404(5).

Amended by Chapter 355, 2016 General Session