

Effective 11/6/2025

**67-16-16 Special public officer -- Annual conflict of interest disclosure statement --
Exception -- Penalties.**

- (1) Except as provided in Subsection (7), a special public officer shall, no sooner than January 1 and no later than January 31 of each year during which the special public officer holds elected or appointed office:
 - (a) prepare a written conflict of interest disclosure statement that contains a response to each item of information described in Subsection 20A-11-1604(6); and
 - (b) submit the written disclosure statement to the filing clerk.
- (2)
 - (a) No later than 10 business days after the day on which a special public officer submits the written disclosure statement described in Subsection (1) to the filing clerk, the filing clerk shall:
 - (i) post an electronic copy of the written disclosure statement on, as applicable, the special district's, special service district's, or school district's website; and
 - (ii) provide the lieutenant governor with a link to the electronic posting described in Subsection (2)(a)(i).
 - (b) The filing clerk shall ensure that the special public officer's written disclosure statement remains posted on the website described in Subsection (2)(a)(i) until the special public officer leaves office.
- (3) The filing clerk shall take the action described in Subsection (4) if:
 - (a) a special public officer fails to timely submit a written disclosure statement; or
 - (b) a submitted written disclosure statement does not comply with the requirements of Subsection 20A-11-1604(6).
- (4) If a circumstance described in Subsection (3) occurs, the filing clerk shall, within five days after the day on which the filing clerk determines that a violation occurred, notify the special public officer of the violation and direct the special public officer to submit an amended report correcting the problem.
- (5)
 - (a) It is unlawful for a special public officer to fail to submit or amend a written disclosure statement within seven days after the day on which the special public officer receives the notice described in Subsection (4).
 - (b) A special public officer who violates Subsection (5)(a) is guilty of a class B misdemeanor.
 - (c) The filing clerk shall report a violation of Subsection (5)(a) to the attorney general.
 - (d) In addition to the criminal penalty described in Subsection (5)(b), the filing clerk shall impose a civil fine of \$100 against a special public officer who violates Subsection (5)(a).
- (6) The filing clerk shall deposit a fine collected under this section into the, as applicable, special district's, special service district's, or school district's general fund as a dedicated credit to pay for the costs of administering this section.
- (7) For a special public officer who is also a state legislator, a member of the legislative body of a county or municipality, or who is otherwise required to make the written disclosure statement described in Subsection (1) under another provision of law:
 - (a) Subsection (1) does not apply; and
 - (b) the filing clerk shall, instead:
 - (i) post an electronic link on the website described in Subsection (2)(a)(i) to the written disclosure statement the special public officer made in the special public officer's capacity as:
 - (A) a state legislator, under Title 20A, Chapter 11, Part 16, Conflict of Interest Disclosures;

- (B) an elected officer of a county, under Section 17-70-509;
 - (C) an elected officer of a municipality, under Section 10-3-1313; or
 - (D) an individual who is otherwise required to make the written disclosure statement described in Subsection (1) under another provision of law; and
- (ii) provide the lieutenant governor with a link to the electronic posting described in Subsection (7)(b)(i).

Amended by Chapter 17, 2025 Special Session 1