

**79-2-203 Policy board members.**

- (1) Members of a policy board within the department shall be appointed consistent with the following criteria:
  - (a) geographical distribution;
  - (b) expertise or personal experience with subject matter;
  - (c) diversity of opinion and political preference; and
  - (d) gender, cultural, and ethnic representation.
- (2) The governor may remove a member at any time for official misconduct, habitual or willful neglect of duty, or for other good and sufficient cause.
- (3) No member of the Legislature may serve as a member of a division policy board.
- (4)
  - (a) In addition to the disclosures required by Section 67-16-7, a board member shall disclose any conflict of interest to the board.
  - (b) Notwithstanding Section 67-16-9, a board member with a substantial conflict may serve on the board if the member refrains from voting on a board action when the conflict involves:
    - (i) a direct financial interest in the subject under consideration; or
    - (ii) an entity or asset that could be substantially affected by the outcome of board action.

Renumbered and Amended by Chapter 344, 2009 General Session