

## Chapter 1 Ethics Requirements Governing Legislators

### Part 1 Ethical Standards for Legislators

#### **JR6-1-101 Legislative ethics.**

- (1) The Utah Legislature consists of people who work part-time and must necessarily earn their living in other jobs and professions.
- (2) It is necessary to reconcile the functions of privately employed legislators who have their own private interests with the maintenance of high ethical standards and public confidence.
- (3) In seeking to balance these interests, it is necessary to avoid controls that might be so strict that they discourage capable and honorable persons from entering legislative service.
- (4) It is recognized that public confidence in the Legislature should be promoted and that competent members should serve in the Legislature even though most of them have private interests of various types.
- (5) It is also recognized that a citizen legislator is in a different position in doing business with the state and its political subdivisions than a public servant whose chief source of livelihood is derived from public funds.

Enacted by H.J.R. 11, 2007 General Session

#### **JR6-1-102 Code of official conduct.**

- (1) As used in this rule:
  - (a) "Person" includes an individual, a partnership, an association, an organization, a company, and a body politic and corporate, or a lobbyist from any of these.
  - (b) "Person" does not include an individual or entity described in Subsection (1)(a) that provides the legislator's primary source of income.
- (2) Each legislator shall comply with the guidelines established in Subsection (3).
- (3) In judging members of its house charged with an ethical violation, the Senate and House Ethics Committees shall consider whether or not the member has violated any of the following guidelines:
  - (a) Members of the Senate and House shall not engage in any employment or other activity that would destroy or impair their independence of judgment.
  - (b) Members of the Senate and House shall not be paid by a person to lobby, consult, or to further the interests of any legislation or legislative matter, except that a person may pay a member of the Senate or House to lobby, as defined in Utah Code Section 36-11-102, for the purpose of influencing federal legislative or federal executive action.
  - (c) Members of the Senate and House shall not exercise any undue influence on any governmental entity. "Undue influence" means deceit or threat of violence.
  - (d) Members of the Senate and House shall not engage in any activity that would be an abuse of official position or a violation of trust.
  - (e) Members of the Senate and House shall not use any nonpublic information obtained by reason of their official position to gain advantage over any business or professional competition for activities with the state and its political subdivisions.

- (f) Members of the Senate and House shall not engage in any business relationship or activity that would require the disclosure of confidential information obtained because of their official position.
- (g) Members of the Senate and House shall not use their official position to secure privileges for themselves or others.
- (h) While in session, members of the Senate and House shall disclose any conflict of interest on any legislation or legislative matter as provided in JR6-1-201.
- (i) Members of the Senate and House may accept small gifts, awards, or contributions if these favors do not influence them in the discharge of official duties.
- (j) Members of the Senate and the House may engage in business or professional activities with the state or its political subdivisions if the activities are entered into under the same conditions and in the same manner applicable to any private citizen or company engaged in similar activities.
- (k) Legislators may enter into transactions with the state by contract by following the procedures and requirements of Utah Code Title 63G, Chapter 6a, Utah Procurement Code.

Amended by H.J.R. 23, 2024 General Session

**JR6-1-103 Receipt of campaign donations.**

(1) As used in this rule:

- (a) "Campaign contribution" means cash or a negotiable instrument contributed for a political purpose to a campaigner.
- (b) "Campaigner" means:
  - (i) a legislative office candidate;
  - (ii) an individual who holds a legislative office;
  - (iii) a personal campaign committee of a person described in Subsection (1)(b)(i) or (ii);
  - (iv) a political action committee controlled by a person described in Subsection (1)(b)(i) or (ii); or
  - (v) a person acting on behalf of a person described in Subsections (1)(b)(i) through (iv).
- (c) "Capitol hill" means the same as that term is defined in Utah Code Section 36-5-1.
- (d) "Indirect campaign contribution" means a campaign contribution that is delivered to a campaigner:
  - (i) when the campaigner is not present; or
  - (ii) via a third party or delivery service.
- (e) "Political purpose" means the same as "political purposes" is defined in Utah Code Section 20A-11-101.

(2)

- (a) A campaigner may not accept receipt of a campaign contribution on capitol hill.
- (b) A legislator who is in violation of this rule is subject to an ethics complaint regardless of whether the violation occurred while the legislator was a legislative office holder or a legislative office candidate.

(3) Notwithstanding Subsection (2), a campaigner shall not be considered to have accepted receipt of a campaign contribution if:

- (a) the campaign contribution is an indirect campaign contribution; and
- (b) the campaigner promptly:
  - (i) returns the campaign contribution to the donor; or
  - (ii) refuses the campaign contribution in a written communication or other verifiable manner.

Amended by H.J.R. 5, 2021 General Session

**JR6-1-103 Receipt of campaign donations.**

- (1) As used in this rule:
- (a) "Campaign contribution" means cash or a negotiable instrument contributed for a political purpose to a campaigner.
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    - (i) a legislative office candidate;
    - (ii) an individual who holds a legislative office;
    - (iii) a personal campaign committee of a person described in Subsection (1)(b)(i) or (ii);
    - (iv) a political action committee controlled by a person described in Subsection (1)(b)(i) or (ii); or
    - (v) a person acting on behalf of a person described in Subsections (1)(b)(i) through (iv).
  - (c) "Capitol hill" means the same as that term is defined in Utah Code Section 63O-1-101.
  - (d) "Indirect campaign contribution" means a campaign contribution that is delivered to a campaigner:
    - (i) when the campaigner is not present; or
    - (ii) via a third party or delivery service.
  - (e) "Political purpose" means the same as "political purposes" is defined in Utah Code Section 20A-11-101.
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- (a) A campaigner may not accept receipt of a campaign contribution on capitol hill.
  - (b) A legislator who is in violation of this rule is subject to an ethics complaint regardless of whether the violation occurred while the legislator was a legislative office holder or a legislative office candidate.
- (3) Notwithstanding Subsection (2), a campaigner shall not be considered to have accepted receipt of a campaign contribution if:
- (a) the campaign contribution is an indirect campaign contribution; and
  - (b) the campaigner promptly:
    - (i) returns the campaign contribution to the donor; or
    - (ii) refuses the campaign contribution in a written communication or other verifiable manner.

Amended by H.J.R. 4, 2025 General Session

**Part 2  
Conflicts of Interest**

**JR6-1-201 Declaring and recording conflicts of interest.**

- (1) As used in this rule:
- (a) "Conflict of interest" means the same as that term is defined in Utah Code Section 20A-11-1602.
  - (b) "Conflict of interest disclosure" means the same as that term is defined in Utah Code Section 20A-11-1602.
- (2) A legislator shall file a conflict of interest disclosure by complying with the requirements of Utah Code Title 20A, Chapter 11, Part 16, Conflict of Interest Disclosures.
- (3)
- (a) For a legislator who is a senator, Senate staff shall ensure that a link to the legislator's conflict of interest disclosure is available to the public on the Senate's website.

- (b) For a legislator who is a representative, House staff shall ensure that a link to the legislator's conflict of interest disclosure is available to the public on the House of Representative's website.
- (4) If a legislator has actual knowledge that the legislator has a conflict of interest that is not stated on the legislator's financial disclosure form filed under Subsection (2), that legislator shall, before or during a vote on legislation or any legislative matter, orally declare to the committee or legislative body:
  - (a) that the legislator may have a conflict of interest; and
  - (b) what that conflict is.
- (5) A verbal declaration of a conflict of interest under Subsection (4) shall be recorded:
  - (a) for a declaration made on the floor, in the Senate or House journal; or
  - (b) for a declaration made in a committee or other meeting, in the minutes of the meeting.
- (6) The requirements of this rule do not prohibit a legislator from voting on any legislation or legislative matter.

### **Part 3 Ethics Training**

#### **JR6-1-301 Ethics training course -- Internet availability -- Content -- Participation tracking.**

- (1) The Office of Legislative Research and General Counsel shall develop and maintain an ethics training course for members of the Legislature.
- (2) The ethics training course shall include training materials and exercises that are available on the Internet to legislators and to the public.
- (3) The ethics training course shall be designed to assist legislators in understanding and complying with current ethical and campaign finance requirements under state law, legislative rules, and federal law.
- (4) The ethics training course shall include provisions for verifying when a legislator has successfully completed key training exercises.
- (5) A legislator shall successfully complete the key training exercises of the ethics training course once each year or as directed by the Legislative Management Committee.

Amended by H.J.R. 12, 2011 General Session