

Senator Lyle W. Hillyard proposes to substitute the following bill:

PROHIBITING EMPLOYMENT OF RELATIVES

- AMENDMENTS

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: Lyle W. Hillyard

This act modifies provisions governing employment of relatives by prohibiting elected officials in first class counties from employing, appointing, voting for, or recommending the appointment of, a relative of another member of the elected body in which the official serves when the relative's remuneration is paid from public funds.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

52-3-1.5, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **52-3-1.5** is enacted to read:

52-3-1.5. Employment of relatives prohibited -- Exceptions.

(1) As used in this section:

(a) "Public officer" means a person who holds a position that is compensated by public funds.

(b) "Relative" means a father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.

(2) If the salary, wages, pay, or compensation of the employee in a first class county will be paid from public funds, an elected public officer may not:

(a) knowingly employ, appoint, or vote for the relative of another member of the same elected body in which the public officer serves; or



26 (b) recommend the appointment of a relative of another member of the same elected body
27 in which the public officer serves to any position of employment within the jurisdiction where the
28 elected public officer serves.

28a **§ (3) THIS SECTION DOES NOT APPLY TO:**

28b **(a) RELATIVES WHO HAVE A CURRENT CONTRACT WITH THE GOVERNMENTAL ENTITY AT**
28c **THE TIME THE ELECTED PUBLIC OFFICER ASSUMES THE DUTIES OF HIS OFFICE; OR**

28d **(b) RELATIVES EMPLOYED FOR 12 WEEKS OR LESS. §**