

**RESOLUTION AMENDING JOINT RULES  
REGARDING CONFLICTS OF INTEREST**

2005 GENERAL SESSION

STATE OF UTAH

**Sponsor: John Dougall**

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**LONG TITLE**

**General Description:**

This bill conforms legislative rules governing conflict of interest to statutes governing conflicts of interest.

**Highlighted Provisions:**

This resolution:

► provides notice in rule of statutory requirements with criminal penalties that govern legislator conflict of interest.

**Special Clauses:**

This resolution provides an immediate effective date.

**Legislative Rules Affected:**

AMENDS:

**JR-16.03**

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*Be it resolved by the Legislature of the state of Utah:*

Section 1. **JR-16.03** is amended to read:

**JR-16.03. Code of Official Conduct.**

In judging its members, the Senate and House Ethics Committees have the following guidelines:

(1) (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 may not be paid by a person, as defined in Joint Rule 16.06, to lobby, consult, or to further the interests of any legislation or legislative matter.

(2) Members of the Senate and House shall not exercise any undue influence on any governmental entity.

(3) 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.

(4) Members of the Senate and House may engage in business or professional activity in competition with others, but shall not use any information obtained by reason of their official position to gain advantage over any competition for activities with the state and its political subdivisions.

(5) 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.

(6) Members of the Senate and House shall not use their official position to secure privileges for themselves or others.

(7) While in session, members of the Senate and House shall disclose any conflict of interest on any legislation or legislative matter as provided in JR-16.05.

(8) 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.

(9) [~~Members~~] Except as provided in Subsection (10), 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. Legislators may enter into transactions with the state by contract by following the procedures and requirements of Title 63, Chapter 56, Utah Procurement Code.

(10) (a) As also required by Section 36-19-1, a legislator, member of the legislator's household, or client may not be a party to or have an interest in the profits or benefits of a state contract when the state contract is the direct result of a bill sponsored by the legislator, unless the contract is let in compliance with state procurement policies and is open to the general public.

(b) Besides the penalties authorized by these rules, Section 36-19-1 also provides that

any person violating this section is guilty of a class B misdemeanor.

Section 2. **Effective date.**

This resolution takes effect upon approval by a constitutional majority vote of all members of the Senate and House of Representatives.