

## H.B. 270

# FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST AMENDMENTS

HOUSE FLOOR AMENDMENTS

AMENDMENT 1

FEBRUARY 4, 2010 10:29 AM

Representative **Sheryl L. Allen** proposes the following amendments:

1. *Page 2, Lines 35 through 39:*

35           ▶ provides a criminal penalty if a regulated officeholder engages in an official action  
36 that constitutes a conflict of interest if:  
37           • the conflict of interest has not been provided on the financial disclosure; and  
38           • the officeholder fails to publicly declare a conflict of interest at the time of the  
39 action; =

▶ provides a criminal penalty if a regulated officeholder fails to timely file a financial disclosure on the yearly due date and then fails to timely file the disclosure after receiving personal notice of the delinquency;

2. *Page 2, Lines 40 through 41:*

40           ▶ requires conflicts of interest that are declared at the time of the action to be recorded  
41 on official records; =

▶ requires the lieutenant governor, the secretary of the Senate, and the chief clerk of the House of Representatives to provide personal notice of potential criminal penalties to regulated officeholders who fail to timely file a yearly financial disclosure;

3. *Page 11, Lines 323 through 332:*

323           (4) (a) The following individuals shall file a financial disclosure form:

324           (i) a state constitutional officer, to be due on the tenth day of January of each year, or  
325 the following business day if the due date falls on a weekend or holiday;

326           (ii) a legislator, at the following times:

327           (A) on the first day of each general session of the Legislature; ~~{and}~~

328           (B) each time the legislator changes employment; and

(C) any other time that there is a material change in circumstances which are required to be disclosed;

329           (iii) a member of the State Board of Education, at the following times:

330           (A) on the tenth day of January of each year, or the following business day if the due  
331 date falls on a weekend or holiday; ~~{and}~~

332           (B) each time the member changes employment ~~{and}~~ ; and

(C) any other time that there is a material change in circumstances which are required to be

disclosed.

4. Page 12, Lines 359 through 361:

- 359 (ix) the name of the filer's spouse or domestic partner , as applicable;
- 360 (x) a brief description of the employment of the filer's spouse or domestic partner , as applicable,  
including
- 361 the spouse's occupation;

5. Page 13, Lines 373 through 375:

- 373 (ii) The lieutenant governor, the secretary of the Senate, and the chief clerk of the  
374 House of Representatives shall ensure that blank financial disclosure forms are available on the  
375 Internet and at their offices.

(iii) The lieutenant governor, within three working days after the due date provided in Subsections (4)(a)(i) and (4)(a)(iii)(A), and the secretary of the Senate and chief clerk of the House of Representatives, within three working days after the due date provided in Subsection (4)(a)(ii)(A), shall:

(A) review the financial disclosures to determine which regulated officeholders have failed to timely file the financial disclosure form by the required due date; and

(B) provide personal notice to each regulated officeholder that has failed to timely file the financial disclosure that:

(I) the financial disclosure was not timely filed; and

(II) failure to file the disclosure form within 3 working days after the date of the personal notice is a class B misdemeanor.

6. Page 13, Lines 376 through 379:

- 376 (d) Financial disclosure forms that are filed under the procedures and requirements of  
377 this section shall be made available to the public:
- 378 (i) on the Internet , within three working days after the date the form is filed ; and
- 379 (ii) at the office where the form was filed , no later than the next working day after the date the form is filed .

7. Page 13, Lines 386 through 387:

- 386 (5) (a) A regulated officeholder who violates the requirements of Subsection (2) is guilty  
387 of a class B misdemeanor. =

(b) A regulated officeholder who fails to timely file a financial disclosure on the yearly due date provided in Subsection (4)(a)(i), (4)(a)(ii)(A), or (4)(a)(iii)(A) and subsequently fails to file that financial disclosure within three working days after the date of receiving personal notice of the failure to file is guilty of a class B misdemeanor.