

1                   **JOINT RULES RESOLUTION - CONFLICT OF INTEREST**

2                                   **DISCLOSURE**

3   2020 GENERAL SESSION

4   STATE OF UTAH

5                                   **Chief Sponsor: Jani Iwamoto**

6                                   House Sponsor: Brad M. Daw

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8   **LONG TITLE**

9   **General Description:**

10           This joint rules resolution modifies legislative rules governing disclosure of a conflict  
11 of interest.

12 **Highlighted Provisions:**

13           This resolution:

- 14           ▶ modifies legislative rules governing conflict of interest disclosure to reflect statutory
- 15 changes to the disclosure process; and
- 16           ▶ makes technical changes.

17 **Special Clauses:**

18           None

19 **Legislative Rules Affected:**

20 AMENDS:

21           **JR6-1-201**

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

24           Section 1. **JR6-1-201** is amended to read:

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

26           (1) As used in this section[~~,"conflict"~~]:

27           (a) "Conflict of interest" means the same as that term is defined in Utah Code Section

28 [20A-11-1602](#).

29 (b) "Conflict of interest disclosure" means the same as that term is defined in Utah  
30 Code Section [20A-11-1602](#).

31 ~~[(2) A legislator shall file a financial disclosure form in compliance with Utah Code~~  
32 ~~Section [20A-11-1603](#) and according to the requirements of this section:]~~

33 ~~[(a) on the first day of each general session of the Legislature; and]~~

34 ~~[(b) each time the legislator changes employment.]~~

35 ~~[(3) The financial disclosure form shall include the disclosures required by]~~

36 (2) A legislator shall file a conflict of interest disclosure by complying with the  
37 requirements of Utah Code Title 20A, Chapter 11, Part 16, Conflict of Interest Disclosures.

38 ~~[(4) (a) The financial disclosure form shall be filed with:]~~

39 ~~[(i) the secretary of the Senate, for a legislator that is a senator; or]~~

40 ~~[(ii) the chief clerk of the House of Representatives, for a legislator that is a~~  
41 ~~representative.]~~

42 ~~[(b) The secretary of the Senate and the chief clerk of the House of Representatives~~  
43 ~~shall ensure that: (i) blank financial disclosure forms are made available on the Internet and at~~  
44 ~~the offices of the Senate and the House of Representatives; and (ii) financial disclosure forms~~  
45 ~~filed under this rule are made available to the public on the Internet and at the offices of the~~  
46 ~~Senate or the House of Representatives.]~~

47 ~~[(5) (a) Before or during any vote on legislation or any legislative matter in which]~~

48 (3) (a) For a legislator who is a senator, the secretary of the Senate shall ensure that a  
49 link to the legislator's conflict of interest disclosure is available to the public on the Senate's  
50 website.

51 (b) For a legislator who is a representative, the chief clerk of the House of  
52 Representatives shall ensure that a link to the legislator's conflict of interest disclosure is  
53 available to the public on the House of Representative's website.

54 (4) If a legislator has actual knowledge that the legislator has a conflict of interest

55 ~~[which]~~ that is not stated on the legislator's financial disclosure form filed under Subsection  
56 (2), that legislator shall, before or during a vote on legislation or any legislative matter, orally  
57 declare to the committee or ~~[body before which the matter is pending]~~ legislative body:

58 ~~[(i)]~~ (a) that the legislator may have a conflict of interest; and

59 ~~[(ii)]~~ (b) what that conflict is.

60 ~~[(b) The]~~ (5) A verbal declaration of a conflict of interest under Subsection (4) shall be  
61 recorded:

62 (a) for a declaration made on the floor, in the Senate or House Journal by the secretary  
63 of the Senate or the chief clerk of the House of Representatives ~~[shall]; or~~

64 (b) for a declaration made in a committee or other meeting, in the minutes of the  
65 meeting.

66 ~~[(i) direct committee secretaries to note the declaration of conflict of interest in the~~  
67 ~~minutes of any committee meeting; and]~~

68 ~~[(ii) ensure that each declaration of conflict declared on the floor is noted in the Senate~~  
69 ~~Journal or House Journal.]~~

70 ~~[(6) This requirement of disclosure of any conflict of interest does]~~

71 (6) The requirements of this rule do not prohibit a legislator from voting on any  
72 legislation or legislative matter.