

Senator Jani Iwamoto proposes the following substitute bill:

JOINT RULES RESOLUTION - CONFLICT OF INTEREST

DISCLOSURE

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jani Iwamoto

House Sponsor: Brad M. Daw

LONG TITLE

General Description:

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

Highlighted Provisions:

This resolution:

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

Special Clauses:

None

Legislative Rules Affected:

AMENDS:

JR6-1-201

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

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

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 Utah Code
36 Title 20A, Chapter 11, Part 16, Conflict of Interest Disclosures:]~~

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

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

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

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

46 (2) A legislator shall complete an annual conflict of interest disclosure in accordance
47 with Utah Code Title 20A, Chapter 11, Part 16, Conflict of Interest Disclosures.

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 Representatives' website.

54 ~~[(5)]~~ (4) (a) Before or during any vote on legislation or any legislative matter in which
55 a legislator has actual knowledge that the legislator has a conflict of interest which is not stated
56 [on the financial disclosure form, that] in the conflict of interest disclosure, the legislator shall

57 orally declare to the committee or body before which the matter is pending:

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

59 (ii) what that conflict is.

60 [~~(b) The secretary of the Senate or the chief clerk of the House of Representatives~~
61 ~~shall:]~~

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

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

66 (b) (i) If a legislator makes an oral declaration described in Subsection (4)(a) during a
67 meeting, the declaration shall be noted in the minutes of the meeting.

68 (ii) If a legislator makes an oral declaration described in Subsection (4)(a) on the floor
69 of the Senate or the floor of the House of Representatives, the secretary of the Senate or the
70 chief clerk of the House of Representatives shall ensure that the declaration is noted in the
71 Senate Journal or House Journal.

72 [~~(6)~~ (5) This requirement of disclosure of any conflict of interest does not prohibit a
73 legislator from voting on any legislation or legislative matter.