

Representative Carl R. Albrecht proposes the following substitute bill:

LIEUTENANT GOVERNOR CONFLICT OF INTEREST

AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carl R. Albrecht

Senate Sponsor: Michael S. Kennedy

LONG TITLE

General Description:

This bill provides for the appointment of a neutral advisor to resolve complaints relating to a lieutenant governor running for certain elected office.

Highlighted Provisions:

This bill:

- ▶ requires the governor to appoint a neutral advisor, with the advice and consent of the Senate, to resolve complaints relating to the current lieutenant governor or the current lieutenant governor's campaign for certain elected office; and
- ▶ describes the qualifications and authority of the neutral advisor.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

20A-5-207, Utah Code Annotated 1953



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

27 Section 1. Section **20A-5-207** is enacted to read:

28 **20A-5-207. Conflict of interest -- Appointment of neutral advisor.**

29 (1) (a) During a calendar year when the lieutenant governor is running for any state or
30 federal office other than the office of lieutenant governor, the governor shall, with the advice
31 and consent of the Senate, appoint a neutral advisor to review complaints made against the
32 lieutenant governor or the lieutenant governor's campaign.

33 (b) The neutral advisor:

34 (i) shall have knowledge and experience in state campaign law; and

35 (ii) may not be an individual who is:

36 (A) an employee of the lieutenant governor's office; or

37 (B) running for political office.

38 (2) If a complaint is made relating to a campaign of the current lieutenant governor for
39 any state or federal elected office other than the office of lieutenant governor, the complaint
40 will be referred to, and action taken at the direction of, the neutral advisor, including:

41 (a) investigating the complaint;

42 (b) requiring the lieutenant governor or the lieutenant governor's campaign to take
43 action, or refrain from taking action, in accordance with the requirements of law;

44 (c) imposing penalties in accordance with the requirements of law; and

45 (d) taking legal or other action to enforce the requirements of law in relation to the
46 complaint.

47 (3) The neutral advisor does not have authority to take action on a complaint relating to
48 a campaign for federal office to the extent that the action is preempted by federal law.