

Senator Todd Weiler proposes the following substitute bill:

**LIMITATIONS ON OUTSIDE EMPLOYMENT BY
GOVERNMENT EMPLOYEE**

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd Weiler

House Sponsor: Spencer J. Cox

LONG TITLE

General Description:

This bill amends and adds provisions to Title 67, Chapter 25, General Requirements for State Officers and Employees.

Highlighted Provisions:

This bill:

- defines terms;
- prohibits certain types of outside employment by an employee who is under the direction or control of an executive branch elected official; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

67-25-102, as enacted by Laws of Utah 2011, Chapter 442

ENACTS:



26 67-25-301, Utah Code Annotated 1953
27 67-25-302, Utah Code Annotated 1953

28
29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section 67-25-102 is amended to read:

31 **67-25-102. Definitions.**

32 As used in this chapter[, "state"]:

33 (1) "Career service employee" is as defined in Section 67-19-3.

34 (2) "Executive branch elected official" means:

35 (a) the governor;

36 (b) the lieutenant governor;

37 (c) the attorney general;

38 (d) the state treasurer; or

39 (e) the state auditor.

40 (3) "Executive branch official" means an individual who:

41 (a) is a management level employee of an executive branch elected official; and

42 (b) is not a career service employee.

43 (4) "State agency" means a department, division, board, council, committee, institution,
44 office, bureau, or other similar administrative unit of the executive branch of state government.

45 Section 2. Section 67-25-301 is enacted to read:

46 **Part 3. Restrictions on Outside Employment**

47 **67-25-301. Title.**

48 This part is known as "Restrictions on Outside Employment."

49 Section 3. Section 67-25-302 is enacted to read:

50 **67-25-302. Restrictions on outside employment by executive branch employees.**

51 (1) An employee who is under the direction or control of an executive branch elected
52 official may not engage in outside employment that:

53 (a) constitutes a conflict of interest

54 (b) interferes with the ability of the employee to fulfill the employee's job
55 responsibilities;

56 (c) constitutes the provision of political services, political consultation, or
56a lobbying; ~~or~~ [-or]

56b (d) involves the provision of consulting services, legal services, or other services to a
56c person that the employee could, within the course and scope of the employee's primary
56d employment, provide to the person; or

57 ~~(d)~~ (e) ~~←H~~ interferes with the hours that the employee is expected to perform work
57a under the
58 direction or control of an executive branch elected official, unless the employee takes
59 authorized personal leave during the time that the person engages in the outside employment.

60 (2) An executive branch official shall be subject to the same restrictions on outside
61 employment as a career service employee.

62 (3) This section does not prohibit an employee from advocating the position of the
63 state office that employs the employee regarding legislative action or other government action.