

**LIMITATIONS ON OUTSIDE EMPLOYMENT BY  
GOVERNMENT EMPLOYEE**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Todd Weiler**

House Sponsor: Spencer J. Cox

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**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:

**67-25-301**, Utah Code Annotated 1953

**67-25-302**, Utah Code Annotated 1953

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*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 lobbying;

57 (d) involves the provision of consulting services, legal services, or other services to a

58 person that the employee could, within the course and scope of the employee's primary  
59 employment, provide to the person; or

60 (e) interferes with the hours that the employee is expected to perform work under the  
61 direction or control of an executive branch elected official, unless the employee takes  
62 authorized personal leave during the time that the person engages in the outside employment.

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

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