

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: _____

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 prior
15 statutory changes to the disclosure process, including:

- 16 • requiring each potential conflict of interest disclosure by a legislator to be
 made

18 via the Candidate and Officeholder Conflict of Interest Disclosure Website; and

- 19 • modifying the deadline for reporting a potential conflict of interest; and

20 ▶ makes technical and conforming changes.

21 **Special Clauses:**

22 None

23 **Legislative Rules Affected:**

24 AMENDS:

25 **JR6-1-201**

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

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



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

30 (1) As used in this section~~[-"conflict"]~~:

31 (a) "Conflict of interest" means the same as that term is defined in Utah Code Section
32 20A-11-1602.

33 (b) "Conflict of interest disclosure" means the same as that term is defined in Utah
34 Code Section 20A-11-1602.

35 (c) "Website" means the same as that term is defined in Utah Code Section
36 20A-11-1602.

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

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

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

41 (2) In accordance with Utah Code Section 20A-11-1604, a legislator shall make a
42 complete conflict of interest disclosure on the website:

43 (a) (i) no sooner than January 1 each year, and before January 11 each year; or

44 (ii) if the legislator takes office after January 10, within 10 days after the day on which
45 the legislator takes office; and

46 (b) each time the legislator changes employment.

47 (3) The ~~[financial disclosure form]~~ conflict of interest disclosure shall include the
48 ~~[disclosures]~~ information required by Utah Code Title 20A, Chapter 11, Part 16, Conflict of
49 Interest Disclosures.

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

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

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

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

59 (4) (a) For a legislator who is a senator, the secretary of the Senate shall ensure that a

60 link to the legislator's conflict of interest disclosure is available to the public on the Senate's
61 website.

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

65 (5) (a) Before or during any vote on legislation or any legislative matter in which a
66 legislator has actual knowledge that the legislator has a conflict of interest which is not stated
67 [~~on the financial disclosure form, that~~] in the conflict of interest disclosure, the legislator shall
68 orally declare to the committee or body before which the matter is pending:

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

70 (ii) what that conflict is.

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

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

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

77 (b) (i) If a legislator makes an oral declaration described in Subsection (5)(a) during a
78 meeting, the declaration shall be noted in the minutes of the meeting.

79 (ii) If a legislator makes an oral declaration described in Subsection (5)(a) on the floor
80 of the Senate or the House of Representatives, the secretary of the Senate or the chief clerk of
81 the House shall ensure that the declaration is noted in the Senate Journal or House Journal.

82 (6) This requirement of disclosure of any conflict of interest does not prohibit a
83 legislator from voting on any legislation or legislative matter.