

The background is a solid teal color. In the four corners, there are decorative white line-art patterns resembling circuit boards or neural networks, with lines connecting to small circles.

UTAH PUBLIC OFFICERS' AND EMPLOYEES' ETHICS ACT

U.C.A. TITLE 67 CHAPTER 16

PURPOSE

- Standards of Conduct
- Areas with actual or potential conflicts of interest between public duties and private interests.
- Who?
 - All public officers and public employees
 - State, county, municipal, public agencies and entities
- Why?
 - Strengthen faith and confidence in the integrity of government.
- Safety in Understanding the Policy Considerations

IMPROPER DISCLOSURE OR USE OF CONFIDENTIAL INFORMATION

- No employment, business or professional activities that may require disclosure of confidential information gained from official position.
- No disclosing or using confidential information acquired from official position to substantially further personal economic interests or secure privileges or exemptions.

IMPROPER DISCLOSURE OR USE OF CONFIDENTIAL INFORMATION

- No using position for personal economic interests, privileges, or exemptions.
- Cannot accept other employment that would interfere with the ethical performance of public duties.

GIFTS, COMPENSATION, LOANS

- Cannot receive or accept a gift of substantial value or economic benefit tantamount to a gift.
 - That would improperly influence the officer to depart from the faithful discharge of duties
 - Primarily for the purpose of rewarding the officer for official actions
 - Involved in any governmental action directly affecting the donor or lender, unless disclosed.

GIFTS, COMPENSATION, LOANS

- Permissible gifts
 - Occasional non-pecuniary gift less than \$50 in value.
 - Publicly presented award for recognition of public services.
 - Bona fide loan made in ordinary course of business.
 - Political campaign contributions.

REQUIRING DONATIONS, PAYMENT OR SERVICES IN EXCHANGE FOR APPROVAL

- Cannot require a person to donate personal property, money, or services as a condition of granting any application, permit, approval, or authorization.
- Exceptions:
 - Required by statute, ordinance, or rule
 - Mutual agreement
 - Voluntary
 - Condition of a binding document to resolve agency enforcement action.

OFFERING DONATIONS, PAYMENT, OR SERVICES IN EXCHANGE FOR APPROVAL

- No person can offer to donate personal property, money or services to a public agency on condition that the agency approve any application, permit, approval or authorization.
- Exceptions:
 - Required by statute, ordinance or rule
 - Mutual agreement
 - Condition of a binding document to resolve agency enforcement action
 - Made without condition – written certification

RECEIVING COMPENSATION FOR ASSISTANCE IN TRANSACTIONS

- Cannot receive compensation to assist any person or business with any transaction involving an agency UNLESS:
 - Sworn written statement filed with:
 - Head of the officer's agency
 - Agency head of the entity with which the transaction is being conducted
 - State attorney general

DISCLOSURE OF SUBSTANTIAL INTEREST IN REGULATED BUSINESS

- Employees must disclose any substantial interest in a business that is regulated by his agency (unless value is less than \$2,000)
- Must disclose by making sworn statement to attorney general (for state employees), mayor or city council (for city employees), head of the agency, AND immediate supervisor.

PARTICIPATION IN TRANSACTION INVOLVING BUSINESS AS TO WHICH PUBLIC OFFICER/EMPLOYEE HAS INTEREST

- Cannot participate in official capacity or receive compensation with respect to any transaction between the public agency and any business entity in which the public officer has a substantial interest UNLESS disclosed.

CONFLICTS OF INTEREST

- Cannot have personal investments in any business entity which will create a substantial conflict between private interests and public duties.

PARTICIPATION IN ELECTIONS

- Elected officials may not campaign while acting in any official capacity.
- Elected officials shall not use City property including e-mail for campaign purposes.
- There should be a bright-line between an elected officials duties and the campaign.
- Elected officials may not pressure city employees to participate in any campaign activity.
- Campaign financial disclosures.

INDUCING OTHERS TO VIOLATE ACT

- Cannot induce or seek to induce any public officer or employee to violate this Act.

PENALTIES

- Shall be dismissed from employment or removed from office.
- Felony 2: > \$1000
- Felony 3 : \$250 – \$1000 or 2 previous convictions < \$250
- Misdemeanor A: \$100 - \$250
- Misdemeanor B: < \$100

UNETHICAL TRANSACTIONS

- Shall dismiss public officer or employee.
- May rescind or void any contract entered into with respect to such transaction without returning any consideration received.

COMPLAINTS

- A person may file a complaint for an alleged violation of the Act with the Political Subdivisions Ethics Review Commission.



QUESTIONS?