

LEGISLATIVE ETHICS 2008

What is against the rules?

GIFTS & SPECIAL BENEFITS:

*Bribery: Soliciting or receiving any benefit with the understanding that the benefit is given with the intent of influencing an action or opinion of a public officer or employee, party official, or voter 76-8-105(1)

IMPROPER USE OF LEGISLATIVE OFFICE:

*Using Legislative Position to:

- a. Disclose or improperly use protected information JR6-1-102(2)(f); 67-16-4(1)(a) & (b)
- b. Further an economic interest 67-16-4(1)(c)(i)
- c. Secure privileges for yourself JR6-1-201(2)(g); 67-16-4(1)(c)(ii)

*Exercising undue influence on a governmental entity JR6-1-102(2)(c) & (d)

*Threatening to harm or disadvantage a public officer or employee, party official, or voter in order to influence their exercise of discretion 76-8-104(1)

*Receiving compensation to endorse an appointment of a public servant 76-8-106

EMPLOYMENT:

*Failure to File:

- a. a Declaration of Conflict of Interest Form JR6-1-201(2)(a); 76-8-109(3)
- b. a written disclosure of any sources of compensation for legislative session time JR6-1-202(2)

*Receiving income for lobbying or for furthering legislative interests JR6-1-102(2)(b)

*Accepting employment that would impair independent judgment or interfere with ethical performance of duties JR6-1-102(2)(a): 67-16-4(1)(d) & (e)

*Business with the state or a local government:

- a. On different conditions than others JR6-1-102(j)
- b. Done without public notice and competitive bidding JR6-1-102(3)(a); 36-19-1(1)

CONFLICTS OF INTEREST:

*Failure to file written declaration of general legislative conflicts with Senate/House when oath of office is taken and with a change of employment. JR6-1-201(2)(a): 76-8-109(3)

*No oral declaration of conflict prior to a vote 76-8-109(2)

*Interest in profit or benefits of a state contract resulting from legislation personally sponsored:

- a. applies to Legislator, household, and clients 36-19-1(1)
- b. contracts awarded through open procurement processes are permitted JR6-1-102(k); 36-19-1(1)

PROTECTED INFORMATION & RECORD KEEPING:

*Using protected information to further your personal or business interests 76-8-202

*Altering bills or resolutions outside of the legislative process 76-8-107: 76-8-108

*Destruction or withholding of records belonging to the legislative office 76-8-203(1)(e)

*Engaging in business that would require the disclosure of confidential information JR6-1-102(2)(f); 67-16-4(1)(a)