

**STATE OFFICERS AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Brady Brammer**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill enacts provisions relating to the attorney general, the state auditor, and the state treasurer (designated statewide public officers).

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires a designated statewide public officer to make certain travel disclosures;
- ▶ prohibits a designated statewide public officer from engaging in outside employment, receiving certain outside compensation, or providing outside professional services;
- ▶ prohibits a designated statewide public officer from expending public funds for certain novelty items or souvenirs;
- ▶ prohibits a former designated statewide public officer from, for a period of one year after leaving office, engaging in employment or receiving compensation in relation to certain financial matters that the former designated statewide public officer participated in while in office;
- ▶ provides for an audit of the offices of the designated statewide public officers; and
- ▶ requires an interim study relating to designated statewide public officers.

**Money Appropriated in this Bill:**

None



28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 ENACTS:

32 **67-2a-101**, Utah Code Annotated 1953

33 **67-2a-201**, Utah Code Annotated 1953

34 **67-2a-202**, Utah Code Annotated 1953

35 **67-2a-301**, Utah Code Annotated 1953

36 **67-2a-302**, Utah Code Annotated 1953



38 *Be it enacted by the Legislature of the state of Utah:*

39 Section 1. Section **67-2a-101** is enacted to read:

40 **CHAPTER 2a. DESIGNATED STATEWIDE PUBLIC OFFICERS**

41 **Part 1. General Provisions**

42 **67-2a-101. Definitions.**

43 As used in this chapter:

44 (1) "Campaign funds" means:

45 (a) a contribution, as defined in Section [20A-11-101](#);

46 (b) an expenditure, as defined in Section [20A-11-101](#);

47 (c) public service assistance, as defined in Section [20A-11-101](#); or

48 (d) an in-kind contribution, as defined in Section [20A-11-101](#).

49 (2) "Designated statewide public officer" means the attorney general, the state  
50 treasurer, or the state auditor.

51 (3) "Out-of-state travel" means:

52 (a) transportation to, from, or within, an area that is outside of Utah; or

53 (b) food, lodging, or other expenses that are:

54 (i) incidental to the transportation described in Subsection (3)(a); or

55 (ii) provided or received outside of Utah.

56 (4) "Public funds" means any money received by a public entity from:

57 (a) an appropriation, tax, fee, interest, or other return on investment; or

58 (b) a grant or donation.

59 Section 2. Section **67-2a-201** is enacted to read:

60 **Part 2. Disclosures and Prohibitions**

61 **67-2a-201. Disclosure by a designated statewide public officer -- Out-of-state**  
62 **travel paid with campaign funds or public funds.**

63 (1) A designated statewide public officer shall, in accordance with the requirements of  
64 this section, disclose to the lieutenant governor, in writing, all out-of-state travel engaged in, or  
65 received by, the designated statewide public officer that is paid for, or reimbursed in whole or  
66 in part, with campaign funds or public funds.

67 (2) A designated statewide public officer shall make the disclosure described in  
68 Subsection (1) within 30 days after the later of the day on which the designated statewide  
69 public officer:

70 (a) returns to Utah; or

71 (b) knew or had reason to know that all or part of the out-of-state travel would be paid  
72 for, or reimbursed, with campaign funds or public funds.

73 (3) The written disclosure shall include:

74 (a) the name of the designated statewide public officer and the name, title, and role of  
75 each individual that accompanied the designated statewide public officer outside of Utah;

76 (b) the name, title, and role of each individual with whom the designated statewide  
77 public officer met while outside of Utah; and

78 (c) the purpose of the out-of-state travel.

79 (4) The lieutenant governor shall:

80 (a) within three business days after the day on which the lieutenant governor receives a  
81 disclosure described in this section, post the disclosure, as a public record, on the lieutenant  
82 governor's website; and

83 (b) maintain the disclosure on the lieutenant governor's website for at least two years.

84 Section 3. Section **67-2a-202** is enacted to read:

85 **67-2a-202. Prohibited conduct by a designated statewide public officer or a**  
86 **former designated public officer.**

87 (1) A designated statewide public officer may not use public funds to produce or pay  
88 for a novelty item or souvenir that contains the name or image of the designated statewide  
89 public officer.

- 90 (2) A designated statewide public officer:
- 91 (a) is a full-time employee of the state; and
- 92 (b) may not:
- 93 (i) engage in outside employment;
- 94 (ii) receive compensation from a person, other than the state, for work or services that
- 95 are similar in nature to the work or services provided to the state in the designated statewide
- 96 public officer's capacity as a designated statewide public officer;
- 97 (iii) engage in the private practice of law; or
- 98 (iv) provide professional services to a person other than the state.

99 (3) A former designated statewide public officer serving on or after May 1, 2024, may  
 100 not, during the one-year period immediately following the day on which the former designated  
 101 statewide public officer leaves office, accept employment or compensation from a person with  
 102 whom the former designated officeholder, while in office:

- 103 (a) engaged in a procurement, a procurement negotiation, or a contract negotiation on
- 104 behalf of the state; or
- 105 (b) entered into a contract on behalf of the state.

106 Section 4. Section **67-2a-301** is enacted to read:

**Part 3. Audits and Study**

**67-2a-301. Audits.**

109 The legislative auditor general shall, upon recommendation of the Audit Subcommittee,  
 110 created in Section [36-12-8](#), conduct an audit of:

- 111 (1) the Office of the Attorney General;
- 112 (2) the Office of the State Auditor; and
- 113 (3) the Office of the State Treasurer.

114 Section 5. Section **67-2a-302** is enacted to read:

**67-2a-302. Study regarding designated statewide public officers.**

116 (1) During the 2024 interim, the Government Operations Interim Committee shall  
 117 conduct a study regarding the designated statewide public officers that includes:

- 118 (a) a 50 state survey of the positions held by the designated statewide public officers,
- 119 including:
- 120 (i) compensation paid;

121 (ii) whether, and the manner in which, the designated statewide public officers are  
122 elected or appointed; and

123 (iii) investigations, findings, or convictions relating to malfeasance, misconduct, or  
124 criminal activity of designated statewide public officers; and

125 (b) scholarly articles or opinions on best practices regarding the election, appointment,  
126 or compensation of designated statewide public officers.

127 (2) On or before December 15, 2024, the Government Operations Interim Committee  
128 shall issue a written report on the study described in this section and provide a copy of the  
129 report to the Legislative Management Committee.

130 Section 6. **Effective date.**

131 This bill takes effect on May 1, 2024.