

1 **GOVERNMENT ETHICS - POST-EMPLOYMENT**
2 **RESTRICTIONS**

3 2016 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Jim Dabakis**

6 House Sponsor: _____

7
8 **LONG TITLE**

9 **General Description:**

10 This bill places limitations on post-government employment.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms; and
14 ▶ prohibits an individual who holds certain positions in the executive branch from, for
15 a period of one year after the individual's government employment ends, working
16 for, or as a lobbyist for, certain persons over which the individual had regulatory
17 authority.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 ENACTS:

24 **67-26-101**, Utah Code Annotated 1953

25 **67-26-102**, Utah Code Annotated 1953

26 **67-26-201**, Utah Code Annotated 1953



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

29 Section 1. Section 67-26-101 is enacted to read:

30 **CHAPTER 26. GOVERNMENT POST-EMPLOYMENT ETHICS ACT**

31 **Part 1. General Provisions**

32 **67-26-101. Title.**

33 This chapter is known as the "Government Post-Employment Ethics Act."

34 Section 2. Section 67-26-102 is enacted to read:

35 **67-26-102. Definitions.**

36 As used in this chapter:

37 (1) "Agency" means the department or other state government entity over which an
38 individual who holds an appointed position has supervisory authority.

39 (2) "Appointed position" means a position in the executive branch of state government
40 that is always filled by appointment of the governor.

41 (3) "Lobbying" means the same as that term is defined in Section [36-11-102](#).

42 Section 3. Section 67-26-201 is enacted to read:

43 **Part 2. Post-Employment Restrictions**

44 **67-26-201. Restrictions on lobbying and employment.**

45 (1) An individual who holds an appointed position may not, for a period of one year
46 after the day on which the individual ceases to hold the appointed position:

47 (a) engage in lobbying on behalf of a person that was regulated by the agency over
48 which the individual had supervisory authority; or

49 (b) work, or provide paid consulting services, for a person that was regulated by the
50 agency over which the individual had supervisory authority.

51 (2) The attorney general may bring an action to enforce the provisions of Subsection
52 (1) against an individual who violates Subsection (1).

53 (3) In an action described in Subsection (2), a court may:

54 (a) enjoin the individual from violating Subsection (1);

55 (b) order the individual to pay to the state an amount equal to the consideration that the
56 individual received for engaging conduct that violates Subsection (1); and

57 (c) award reasonable costs and attorney fees to the prevailing party.

Legislative Review Note
Office of Legislative Research and General Counsel