

COUNTY OFFICERS AND EMPLOYEES DISCLOSURE ACT

Utah Code Annotated Title 17, Chapter 16a

THOSE SUBJECT TO THE ACT

All county employees, elected officials, and individuals appointed to county boards and committees (whether compensated or not) are subject to the County Officers and Employees Disclosure Act (the "Act"). This form will use the word "officer" to mean anyone who is subject to the Act.

This form is provided for your protection, to help you comply with the Act. Any person who knowingly and intentionally violates the requirements of the Act is guilty of a class A misdemeanor and shall be dismissed from employment or removed from office. Please read this form carefully, and please read Title 17, Chapter 16a of the Utah Code, which can be accessed via this link: https://le.utah.gov/xcode/Title17/Chapter16A/C17-16a_1800010118000101.pdf

USE OF OFFICIAL POSITION

It is a violation of the Act for an officer to:

- A. Disclose confidential information acquired by reason of the officer's official position or use that information to secure special privileges or exemptions for the officer or others;
- B. Use or attempt to use the officer's official position to secure special privileges for the officer or others; or
- C. Knowingly receive, accept, take, seek, or solicit, directly or indirectly, any gift or loan for the officer or another if the gift or loan tends to influence the officer in the discharge of his/her official duties.

These provisions (A,B, & C) do not apply to:

- A. An occasional non-monetary gift having a value of less than \$50;
- B. An award publicly presented;
- C. Any bona fide loan made in the ordinary course of business; or
- D. Political campaign contributions actually used in a political campaign.

ASSISTING OTHERS IN TRANSACTIONS WITH COUNTY

Assisting others in transactions with the county is not prohibited. However, if an officer is to be compensated for that assistance, then the officer must file a sworn statement containing the following information with the county commission ten days before entering into an agreement providing for the compensation, or ten days before receiving the compensation, whichever is earlier. An elected official must also file the statement with the county clerk. A member of a county public body must also disclose that information to the members of that body, during an open meeting, immediately before any discussion of the transaction.

The sworn statement and, if applicable, the disclosure to the public body, must include:

- 1. The name and address of the officer;
- 2. The name and address of the person or business entity being assisted, or in which the officer has a substantial interest; and
- 3. A brief description of the transaction for which service is to be rendered and a description of the nature of the service to be performed.

INTEREST IN BUSINESS ENTITY REGULATED BY COUNTY

Everyone subject to the Act who (1) is an officer, director, agent, or employee of, or (2) together with the individual's spouse and minor children owns a 10% or greater interest in, any business entity that is regulated by the county must disclose the position he/she holds in the business entity and the precise nature and value of any interest owned (if more than \$5,000). This disclosure must first be made upon appointment or election, and then annually, each January, in a sworn statement filed with the county commission. An elected official must also file the statement with the county clerk.

INTEREST IN BUSINESS ENTITY DOING BUSINESS WITH THE COUNTY

Everyone subject to the Act who (1) is an officer, director, agent, or employee of, or (2) together with the individual's spouse and minor children owns a 10% or greater interest in, any business entity that does, or anticipates doing, business with the county must publicly disclose the nature of his/her interest in that business entity to any county public body of which he/she is a member, immediately before any discussion by that body relating to the business entity. An elected official must also file a sworn statement with the county clerk describing the nature of his/her interest in the business entity.

INVESTMENT CREATING CONFLICT OF INTEREST

Everyone subject to the Act who has any personal interest or investment that creates a potential or actual conflict between the person's personal interests and the person's public duties shall disclose the conflict in a sworn statement filed with the county commission. This disclosure must first be made upon appointment or election, and then annually, each January. An elected official must also file the statement with the county clerk.

WEBER COUNTY DISCLOSURE STATEMENT

This statement should be completed by all Weber County employees, including elected and appointed officials, and by all individuals appointed to county boards and committees. After completion, the statement should be filed with the Weber County Commission or the Commission's designee.

1. Are you an officer, director, agent, or employee of, or (together with your spouse and minor children) an owner of 10% or more of, a business that does, or anticipates doing, business with Weber County or that is subject to regulation by Weber County? If so, please list:
 - a. Your name and the name and address of the business;
 - b. The position you hold with the business, and the precise nature and value of your interest;
 - c. The nature of the business's association with Weber County.
2. Do you have a personal interest or investment that creates an actual or potential conflict with your public duties? If so, please describe the precise nature of the interest and the conflict.
3. If none of the above apply, please initial here: _____

I hereby declare under criminal penalty under the law of Utah that the above statements are true and correct. I agree to comply with all applicable requirements of Utah Code Annotated Title 17, Chapter 16a, including those that are not stated in this form. I understand that under state law, any person who knowingly and intentionally violates these requirements is guilty of a class A misdemeanor and shall be dismissed from employment or removed from office.

If I am an elected official, I understand that I must also complete the separate conflict disclosure statement required by Utah Code Ann. § 17-16a-13.

Name (Please Print)

Signature

Date