



PURCHASING GUIDELINES

Guidelines Updated September 24, 2025

Utah Public Officers' and Employees' Ethics Act

UTAH CODE 65, CHAPTER 16

Any person acting as a procurement officer for the District or who in any official capacity, participates in the procurement of any supplies, services, construction, real property, or insurance for the District shall not ask, receive, or offer to receive any emolument, gratuity, contribution, loan, reward, or any promise thereof, either for the person's own use or the use or benefit of any other person interested in the procurement item.

67-16-4 Improperly disclosing or using private, controlled, or protected information -- Using position to secure privileges or exemptions -- Accepting employment that would impair independence of judgment or ethical performance -- Exception.

67-16-5 Accepting gift, compensation, or load – When prohibited.

Public officers and employees may not accept gifts or benefits of substantial value if it could improperly influence their duties, reward them for official actions, or involve parties they are regulating or making decisions about — unless properly disclosed.

- Items that could be considered a gift, but not limited to:
 - A loan at an interest rate that is substantially lower than the commercial rate then currently prevalent for similar loans; and
 - compensation received for private services rendered at a rate substantially exceeding the fair market value of the services.
- Prohibited if:
 - It could cause (or appear to cause) bias in performing public duties.
 - It's mainly a reward for official actions.
 - It involves someone directly affected by current or upcoming government action, unless disclosed.
- Does not apply to:
 - Small, occasional non-monetary gifts worth \$50 or less.
 - Awards publicly presented in recognition of public service.
 - Legitimate loan made in normal business practices.
 - A political campaign contribution.

67-16-5.3 Requiring donation, payment, or service to government agency in exchange for approval -- When prohibited.

67-16-8 Participation in transaction involving business as to which public office or employee has interest -- Exceptions.



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67-16-9 Conflict of interests prohibited. No public officer or public employee shall have personal investments in any business entity which will create a substantial conflict between the public officer's or public employee's private interests and the public officer's or public employee's public duties.

- Each employee is expected to avoid conflicts of interest or the appearance thereof. If an employee has a personal, professional or financial relationship with a vendor, that employee should not initiate or approve any purchases with the vendor (i.e. the employee or family member(s) is an owner, creditor, debtor, employee, shareholder or member of the board for a vendor). The employee's supervisor should conduct the business in place of the employee in order to avoid a conflict of interest.
- Please see the Employee Conflict of Interest Form located on the Purchasing website, under Purchasing Forms.

67-16-10 Inducing other to violate Chapter. No person shall induce or seek to induce any public officer or public employee to violate any of the provisions of this chapter.

67-16-11 Applicability of provisions.

67-16-12 Penalties for violation – Removal from office or dismissal from employment.

- Anyone who knowingly and intentionally violates the ethics law (except Sections 67-16-6 and 67-16-7) faces **serious consequences**.
 - Over \$1,000 – Second-degree felony
 - \$251–\$1,000 – Third-degree felony
 - \$250 or less, **if there are** two prior convictions – Third-degree felony
 - \$101–\$250 – Class A misdemeanor
 - \$100 or less – Class B misdemeanor

67-16-14 Unethical transactions – Duty to dismiss officer of employee -- Right to rescind or void contract.

67-16-15 Complaint -- Political Subdivisions Ethics Review Commission.

67-16-16 Special public office -- Annual conflict of interest disclosure statement -- Exception -- Penalties.



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