

SALT LAKE COUNTY ORDINANCE

ORDINANCE NO. _____, 2024

SALT LAKE COUNTY ETHICS CODE AMENDMENTS

AN ORDINANCE OF THE LEGISLATIVE BODY OF SALT LAKE COUNTY, UTAH, AMENDING SECTION 2.07.401 OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, ENTITLED “POLITICAL ACTIVITIES OF EMPLOYEES,” AND SECTION 2.07.402 OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, ENTITLED “PROHIBITIONS ON POLITICAL USE OF COUNTY RESOURCES” IN ORDER TO CLARIFY CERTAIN ETHICS REQUIREMENTS FOR SALT LAKE ELECTED OFFICERS AND EMPLOYEES

The County Legislative Body of Salt Lake County ordains as follows:

SECTION I. The amendments made herein are designated by underlining the new substituted words. Words being deleted are designated by brackets and strike-through.

SECTION II. Section 2.07.401 of the Salt Lake County Code of Ordinances, 2001 is hereby amended to read as follows:

2.07.401 – Political activities of elected officers and employees.

A. For the purposes of this section, the term “political activities” means activities done with the intent or in a way to influence any person to refrain from voting or to vote for or against any candidate or a person seeking political office, or a judge standing for retention at any election.

B. Except as otherwise provided by law, [~~county~~] elected officers or employees may voluntarily participate in political activity subject to the following provisions:

1. No person shall be denied the opportunity to become an applicant for a position under the merit system in any covered department by virtue of political opinion or affiliation.
2. No person employed by the county under the merit system may be dismissed from service as a result of political opinion or affiliation.

3. A county career service employee may voluntarily contribute funds to political groups and become a candidate for public office.

4. No [county] officer or employee, whether elected or appointed, may directly or indirectly coerce, command, or advise any officer or employee covered under the merit system to pay, lend, or contribute part of his or her salary or compensation or anything else of value to any party, committee, organization, agency, or person for political purposes. No [county] officer or employee, whether elected or appointed, may attempt to make any officer's or employee's personnel status dependent upon the officer's or employee's support or lack of support for any political party, committee, organization, agency, or person engaged in a political activity.

5. No elected officer or employee may engage in any political activity during the hours of employment nor shall any person solicit political contributions from county employees during hours of employment for political purposes, but nothing in this section shall preclude voluntary contribution by a county employee to the party or candidate of the employee's choice.

6. Nothing contained in this chapter shall be construed to permit partisan political activity by any [county] elected officer or employee who is prevented or restricted from engaging in such political activity by the provisions of the federal Hatch Act.

C. Elected officers and employees, including employees covered by a merit system, may become candidates for political office or for leadership positions in political parties. Officers and employees doing so shall refrain from engaging in any political activities or campaigning during county working hours. Officers and employees may take an unpaid leave of absence in order to run for political office. Such a leave is at the employee's discretion and may be for some or all of

the time between filing a declaration of candidacy and the end of the political campaign. No adverse employment action may be taken against officers or employees who file for office or take a leave of absence.

2.07.402 – Prohibitions on political use of county resources.

A. No elected officer or employee as those terms are defined in Section 2.12.015 shall use any property or resources of Salt Lake County, including time, other county employees, equipment, material, County Seal, buildings or facilities in connection with any political activity as defined in Section 2.07.401, except in accordance with established County policy regarding scheduling and use of public meeting rooms.

B. Elected officers shall not mail any mass mailings or inserts contained within mass mailings using county funds if the mass mailing is postmarked fewer than 60 days immediately before the date of any convention, primary election, or general election (whether regular, special, or other) in which the elected officer is a candidate for political office. For the purposes of this section, the term “mass mailing” means, with respect to a calendar year, any mailing of newsletters or other pieces of mail with substantially identical content (whether such mail is deposited singly or in bulk, or at the same time or different times), totaling more than 500 pieces in that calendar year, except that such term does not include any mailing:

(i) of matter in direct response to a communication from a person to whom the matter is mailed;

(ii) from an elected officer to other elected officers, or to federal, state, or local government officials;

(iii) of a news release to the communications media; or

(iv) required by Utah law or county ordinance, or otherwise directly related to the elected officer's statutory duties and responsibilities.

C. Any mass mailings or inserts contained within mass mailings using county funds shall comply with the following substantive requirements:

(i) Mass mailings shall contain the county's official logo and, where applicable, the official seal of an elected officer, and shall comply with applicable countywide policy concerning the use of logos and branding;

(ii) Mass mailings shall not contain a photograph of an elected officer if the mass mailing is postmarked fewer than 60 days immediately before the date of any convention, primary election, or general election (whether regular, special, or other) in which the elected officer is a candidate for political office;

(iii) Mass mailings shall not print the name of an elected officer in a font size that is larger than any other font used in the text of the mass mailing;

(iv) Mass mailings shall not contain the names of any deputies or employees employed by the county (other than elected officers) who are candidates for political office if the mass mailing is postmarked fewer than 60 days immediately before the date of any convention, primary election, or general election (whether regular, special, or other) in which the county deputy or employee is a candidate for political office;

(v) Mass mailings required by Utah law or county ordinance shall comply with all applicable statutory requirements, and to the extent that those requirements conflict with any of the provisions of this section, they shall control.

SECTION III. This ordinance shall become effective fifteen (15) days after its passage and upon at least one publication in a newspaper published and having general circulation in Salt Lake County.

APPROVED and ADOPTED this _____ day of _____, 2024.

SALT LAKE COUNTY COUNCIL

By: _____
Laurie Stringham, Chair

ATTEST:

Lannie Chapman
Salt Lake County Clerk

REVIEWED AS TO FORM

Deputy District Attorney Date

- Council Member Alvord voting _____
- Council Member Bradley voting _____
- Council Member Bradshaw voting _____
- Council Member Granato voting _____
- Council Member Harrison voting _____
- Council Member Stewart voting _____
- Council Member Stringham voting _____
- Council Member Theodore voting _____
- Council Member Winder Newton voting _____

Complete as Applicable:

Vetoed and dated this ___ day of _____, 2024.

By: _____
Jennifer Wilson, Mayor

Veto override: Yes ____ No ____ Date _____

Ordinance published in the newspaper: Date _____

Effective date of ordinance: _____

SUMMARY OF

SALT LAKE COUNTY ORDINANCE NO. _____

On the ____ day of _____, 2024, the County Council of Salt Lake County adopted Ordinance No. _____, amending sections 2.07.401 and 2.07.402 of the Salt Lake County Code of Ordinances, 2001, in order to clarify certain ethics requirements for Salt Lake County elected officers and employees.

SALT LAKE COUNTY COUNCIL

By: _____
Laurie Stringham, Chair

ATTEST:

Lannie Chapman
Salt Lake County Clerk

Council Member Alvord voting _____
Council Member Bradley voting _____
Council Member Bradshaw voting _____
Council Member Granato voting _____
Council Member Harrison voting _____
Council Member Stewart voting _____
Council Member Stringham voting _____
Council Member Theodore voting _____
Council Member Winder Newton voting _____

A complete copy of the ordinance is available in the office of the Salt Lake County Clerk, 2001 South State Street, N2-700, Salt Lake City, Utah.