

**SALT LAKE COUNTY ORDINANCE
GIFTS IN THE PROCUREMENT PROCESS**

ORDINANCE NO. _____, 2019

AN ORDINANCE OF THE LEGISLATIVE BODY OF SALT LAKE COUNTY, UTAH, AMENDING SECTIONS 2.07.203, 2.07.204, AND 2.07.205 OF THE SALT LAKE COUNTY CODE OF ORDINANCES, 2001, UPDATING DEFINITIONS AND SETTING FORTH THE PENALTIES FOR CERTAIN VIOLATIONS OF THE PROCUREMENT ORDINANCE.

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 interlineations.

SECTION II. Sections 2.07.203, 2.07.204, and 2.07.205 of the Salt Lake County Code of Ordinances, 2001, are amended to read as follows:

2.07.203 - Definitions.

The terms defined in this section shall have the following meaning:

"Gifts" means anything of value including a loan at a rate that is substantially less than a prevalent commercial rate, compensation for goods or services exceeding fair market value, goods or services provided for less than fair market value, gratuity, entertainment, hospitality or forbearance, unless consideration of equal or greater value is received.

"Honoraria" means the offering or acceptance of compensation, perquisite, [~~gift~~] gratuity or anything of value for speaking, writing or participating in a meeting, convention, social event, meal or like gathering.

~~["Purchasing official" means any officer or employee who recommends for final action,~~

~~prepares specifications, or approves or rejects any part of a specific procurement or disposal of goods, services, or real property or any specific contract related to a procurement of goods or services or disposal of property.]~~

2.07.204 - Gifts.

Officers and employees of the county shall not knowingly accept or solicit any gift or gratuity for themselves, family members or organizations of the officer or employee or others, except as permitted in Section 2.07.207.

2.07.205 - Gifts and the procurement process.

A. ~~[Without exception, receipt or solicitation of any gift or a request for employment by a purchasing official from any person including a vendor of goods, seller or buyer of real property, or service provider is illegal and punishable as provided by statute.]~~ Gifts and the procurement process are governed by the Unlawful Conduct and Penalties, Part 24, of the [Utah Procurement Code](#).

B. ~~—It is unlawful and punishable as provided by statute for any payment, gift or offer of employment to be offered or made by any person to a public officer or employee or contractor of the county to obtain a specific procurement, disposal, contract or subcontract.]~~

~~[C.]~~

1. Contracts entered into resulting from a violation of this section are voidable and any payments made on these contracts shall be recoverable to the county.
2. Violations of this section are punishable as provided by the Utah Procurement

Code, up to and including a second-degree felony.

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

APPROVED and ADOPTED this ____ day of _____, 2019.

SALT LAKE COUNTY COUNCIL:

By: _____
Richard Snelgrove, Chair

Date: _____

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:

Dianne R. Orcutt
Dianne R. Orcutt
Deputy District Attorney
Date: 09/05/2019

Council Member Bradley voting _____
Council Member Bradshaw voting _____
Council Member Burdick voting _____
Council Member DeBry voting _____
Council Member Ghorbani voting _____
Council Member Granato voting _____
Council Member Jensen voting _____
Council Member Newton voting _____
Council Member Snelgrove voting _____

VETOED and DATED this ____ day of _____, 2019.

By: _____
Jennifer Wilson, Mayor

(Complete As Applicable)

Veto override: Yes ____ No ____ Date _____

Ordinance published in newspaper: Date _____

Effective date of ordinance: _____

SUMMARY OF

SALT LAKE COUNTY ORDINANCE NO. _____

On the _____ day of _____, 2019, the County Council of Salt Lake County adopted Ordinance No. _____, which amends sections 3.16.110, 3.20.070 and 3.22.040 of the Salt Lake County Code of Ordinances, 2001. The amendment makes changes to definitions and sets forth the penalties for certain violations for the procurement ordinance.

SALT LAKE COUNTY COUNCIL:

By: _____

Richard Snelgrove, Chair

Date: _____

ATTEST:

Sherrie Swensen
Salt Lake County Clerk

APPROVED AS TO FORM:

Dianne R. Orcutt
Deputy District Attorney
Date: _____

Council Member Bradley voting _____
Council Member Bradshaw voting _____
Council Member Burdick voting _____
Council Member DeBry voting _____
Council Member Ghorbani voting _____
Council Member Granato voting _____
Council Member Jensen voting _____
Council Member Newton voting _____
Council Member Snelgrove voting _____

A complete copy of Ordinance No. _____ is available in the office of the Salt Lake County Clerk, 2001 South State Street, N2-100A, Salt Lake City, Utah.