

JOINT RULES RESOLUTION - MINI

APPROPRIATIONS PROCESS

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: Leonard M. Blackham

This joint resolution of the Legislature revises joint rules by modifying the process for addressing certain appropriation requests, by revising appropriation subcommittee responsibilities, and by making technical corrections. This resolution takes effect upon approval.

This resolution affects legislative rules as follows:

AMENDS:

JR-4.22

JR-19.02

ENACTS:

JR-4.22.1

Be it resolved by the Legislature of the state of Utah:

Section 1. **JR-4.22** is amended to read:

JR-4.22. Bills; Requests; Drafting; Copies; Notes.

(1) (a) A [~~member~~] legislator desiring to introduce a bill that enacts, amends, or repeals statutes shall file a Request for Legislation with the Office of Legislative Research and General Counsel within the time limits established by JR-19.02.

(b) A legislator desiring to obtain funding for a project, program, or entity, when that funding request does not require that a statute be enacted, repealed, or amended, may not file a Request for Legislation but instead shall comply with the procedures and requirements of JR-4.22.1.

~~[(b)]~~ (c) The request shall designate:

(i) the chief sponsor~~[- (c) A bill may have two types of sponsors: (i) a chief sponsor],~~

28 who is knowledgeable about and responsible for providing pertinent information as the bill is
29 processed; and

30 (ii) any supporting legislators who wish to cosponsor the bill.

31 (2) (a) When a member files a Request for Legislation, the Office of Legislative Research
32 and General Counsel shall:

33 (i) review the request and any accompanying bill; and

34 (ii) with the approval of the sponsor, prepare the legislation for introduction by making
35 any changes necessary to:

36 (A) [~~insure~~] ensure that it is in proper legal form;

37 (B) remove any ambiguities;

38 (C) avoid constitutional or statutory conflicts;

39 (D) insure a uniform system of punctuation, capitalization, numbering, and wording;

40 (E) eliminate duplication and repeal of laws directly or by implication;

41 (F) correct defective or inconsistent section and paragraph structure in arrangement of the
42 subject matter of existing statutes;

43 (G) eliminate all obsolete and redundant words; and

44 (H) correct obvious errors and inconsistencies in punctuation, capitalization, numbering,
45 and wording.

46 (b) Legislative General Counsel shall indicate on the first page of the bill the drafting
47 attorney's approval of the bill.

48 (3) The Office of Legislative Research and General Counsel shall reproduce ten copies of
49 the approved bill and deliver:

50 (a) seven of them to the Chief Clerk or the Secretary; and

51 (b) three of them to the Legislative Fiscal Analyst for fiscal notes.

52 (4) (a) The Director of the Office of Legislative Research and General Counsel shall note
53 on any bill reviewed by an interim committee that the committee recommends the bill or has voted
54 the bill out without recommendation.

55 (b) This interim committee or note shall be printed with the bill.

56 (5) (a) Any Request for Legislation filed directly with the Office of Legislative Research
57 and General Counsel, with an accompanying bill, shall be reviewed and approved by it within three
58 legislative days.

59 (b) A legislative review note shall be attached to the bill, together with any interim
60 committee note.

61 (c) This three day deadline may be extended if the Director of the Office of Legislative
62 Research and General Counsel requests it and states the reasons for the delay.

63 (6) (a) (i) When the Legislative Fiscal Analyst receives the approved bill, that office has
64 three legislative days to review the bill and provide a fiscal note to the sponsor of the legislation.

65 (ii) The fiscal note may be printed 24 hours after the sponsor receives it unless the sponsor
66 receives the fiscal note on a Friday, in which case the 24-hour period does not expire until the
67 following Monday.

68 (iii) The sponsor may direct an earlier release of the fiscal note for printing.

69 (iv) If the Legislative Fiscal Analyst determines the bill has no fiscal impact, it may be
70 ordered printed immediately after the sponsor has received a copy of the fiscal note, without a
71 24-hour delay.

72 (b) The three day deadline for the preparation of the fiscal note may be extended if the
73 Legislative Fiscal Analyst requests it and states the reasons for the delay.

74 (c) The fiscal note shall be printed with the bill.

75 (7) (a) The reports of the Legislative Fiscal Analyst and the Office of Legislative Research
76 and General Counsel shall be attached to the original copy of the bill.

77 (b) The report is not an official part of the bill.

78 Section 2. Section **JR-4.22.1** is enacted to read:

79 **JR-4.22.1. Appropriations; Requests; Disposition.**

80 (1) (a) A legislator desiring to obtain funding for a project, program, or entity that has not
81 previously been funded, or to obtain additional or separate funding for a project, program, or entity,
82 shall file a signed Request for Appropriation with the Office of Legislative Fiscal Analyst within
83 the time limits established by JR-19.02.

84 (b) The request shall designate:

85 (i) the project, program, or entity to be funded;

86 (ii) the source for the funding;

87 (iii) the chief sponsor, who is knowledgeable about and responsible for providing pertinent
88 information as the appropriation is processed;

89 (iv) supporting legislators, if any, who wish to cosponsor the appropriation; and

90 (v) the appropriation subcommittee to which the sponsor wishes the request to be assigned,
91 if any.

92 (2) (a) When a member files a Request for Appropriation, the Legislative Fiscal Analyst
93 shall review the request.

94 (b) If the request requires that a statute be enacted, amended, or repealed, the Legislative
95 Fiscal Analyst shall immediately transfer the request to the Office of Legislative Research and
96 General Counsel as a Request for Legislation.

97 (c) If the request does not require that a statute be enacted, amended, or repealed, the
98 Legislative Fiscal Analyst shall number and title the request and refer the request to the appropriate
99 Joint Appropriations subcommittee.

100 (3) Each Joint Appropriations subcommittee that receives a Request for Appropriation
101 shall:

102 (a) allow the sponsor to present and discuss the request with the subcommittee;

103 (b) discuss the request; and

104 (c) either:

105 (i) include all or part of the requested appropriation in the base budget recommendation
106 made to the Executive Appropriations Committee;

107 (ii) reject the request; or

108 (iii) recommend to the Executive Appropriations Committee that all or part of the
109 requested appropriation be placed on a funding prioritization list as may be established by the
110 Executive Appropriations Committee.

111 Section 3. **JR-19.02** is amended to read:

112 **JR-19.02. Requesting, Refiling, Approving, and Abandoning Bills.**

113 (1) (a) Except as provided in Subsection (1)(c), a legislator may not file a Request for
114 Legislation with the Office of Legislative Research and General Counsel or file a Request for
115 Appropriation with the Office of the Legislative Fiscal Analyst after noon on the 11th day of the
116 annual general session.

117 (b) Except as provided in Subsection (1)(c), by noon on the 11th day of the annual general
118 session, each legislator shall, for each [bill] Request for Legislation on file with the Office of
119 Legislative Research and General Counsel, either approve the [bill] request for numbering or
120 abandon it.

121 (c) A legislator may file a Request for Legislation ~~[or]~~, approve a bill for numbering, or
122 file a Request for Appropriation any time after noon on the 11th day of the annual general session
123 if:

124 (i) for House bills, the Representative makes a motion to request a bill for drafting and
125 introduction and that motion is approved by a constitutional majority of the House; ~~[or]~~

126 (ii) for a Request for Appropriation submitted by a House member, the Representative
127 makes a motion to request an appropriation and that motion is approved by a constitutional
128 majority of the House;

129 ~~[(ii)]~~ (iii) for Senate bills, the Senator makes a motion to request a bill for drafting and
130 introduction and that motion is approved by a constitutional majority vote of the Senate~~[-]; or~~

131 (iv) for a Request for Appropriation submitted by a Senator, the Senator makes a motion
132 to request an appropriation and that motion is approved by a constitutional majority of the Senate.

133 Section 4. **Effective date.**

134 This resolution takes effect upon approval by a constitutional majority vote of all members
135 of the Senate and House of Representatives.

Legislative Review Note

as of 11-14-00 11:58 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel