

**PUBLICATION OF EDUCATION FUND REVENUE  
REDUCTIONS**

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Benjamin M. McAdams**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill requires certain publication of Education Fund revenue reductions.

**Highlighted Provisions:**

This bill:

- ▶ requires certain publication of bills that reduce Education Fund revenues; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill takes effect on July 1, 2012.

**Utah Code Sections Affected:**

AMENDS:

**36-12-13**, as last amended by Laws of Utah 2009, Chapter 183

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **36-12-13** is amended to read:

**36-12-13. Office of Legislative Fiscal Analyst established -- Powers, functions, and duties -- Qualifications.**

(1) There is established an Office of Legislative Fiscal Analyst as a permanent staff



28 office for the Legislature.

29 (2) The powers, functions, and duties of the Office of Legislative Fiscal Analyst under  
30 the supervision of the fiscal analyst are:

31 (a) to analyze in detail the executive budget before the convening of each legislative  
32 session and make recommendations to the Legislature on each item or program appearing in  
33 the executive budget;

34 (b) to prepare cost estimates on all proposed bills that anticipate state government  
35 expenditures;

36 (c) to prepare cost estimates on all proposed bills that anticipate expenditures by  
37 county, municipal, local district, or special service district governments;

38 (d) to prepare cost estimates on all proposed bills that anticipate direct expenditures by  
39 any Utah resident, and the cost to the overall impacted Utah resident population;

40 (e) to prepare a review and analysis of revenue estimates for existing and proposed  
41 revenue acts;

42 (f) to report instances in which the administration may be failing to carry out the  
43 expressed intent of the Legislature;

44 (g) to direct attention to each new proposed service contained in the governor's budget;

45 (h) to direct attention to each budget item previously denied by the Legislature;

46 (i) to propose and analyze statutory changes for more effective operational economies  
47 or more effective administration;

48 (j) to prepare, after each session of the Legislature, a summary showing the effect of  
49 the final legislative program on the financial condition of the state;

50 (k) to conduct organizational and management improvement studies;

51 (l) to prepare and deliver upon request of any interim committee or the Legislative  
52 Management Committee, reports on the finances of the state and on anticipated or proposed  
53 requests for appropriations;

54 (m) to recommend areas for research studies by the executive department or the interim  
55 committees;

56 (n) to assist in prescribing the format for the presentation of the governor's budget to  
57 facilitate program and in-depth review of state expenditures in accordance with Sections  
58 63J-1-701 and 63J-1-702;

59 (o) to recommend to the appropriations subcommittees the agencies or programs for  
60 which an in-depth budget review should be requested, and to recommend to the Legislative  
61 Management Committee the priority in which the request should be made;

62 (p) to appoint and develop a professional staff within budget limitations; and

63 (q) to prepare and submit the annual budget request for the office.

64 (3) (a) In accordance with Subsection (3)(b) and subject to Subsection (3)(c), the  
65 Office of Legislative Fiscal Analyst shall submit an annual report to the Executive  
66 Appropriations Committee of the Legislature, at the committee's November meeting, on funds  
67 expended by the state during the preceding state fiscal year to provide financial assistance or  
68 services to low-income individuals and families.

69 (b) The report described in Subsection (3)(a) shall:

70 (i) separate the funds expended into categories by program, service, or population  
71 served;

72 (ii) indicate whether the expended funds described in Subsection (3)(a) are state or  
73 federal funds; and

74 (iii) include a total of all state funds and federal funds expended by the state in the  
75 preceding fiscal year to provide financial assistance or services to low-income individuals and  
76 families.

77 (c) If the Executive Appropriations Committee of the Legislature does not meet in  
78 November, the Office of Legislative Fiscal Analyst shall submit the report described in  
79 Subsection (3)(a) at the committee's next meeting.

80 (4) The legislative fiscal analyst shall:

81 (a) (i) for each week of an annual general session, except for the last week of the  
82 annual general session, compile at least weekly a report that lists each bill with a fiscal note  
83 that is published on the Legislature's website that reduces revenues deposited into the  
84 Education Fund; and

85 (ii) for the last week of an annual general session or for a special session, compile at  
86 least daily a report that lists each bill with a fiscal note that is published on the Legislature's  
87 website that reduces revenues deposited into the Education Fund; and

88 (b) publish the reports described in Subsections (4)(a) in a prominent place on the  
89 Legislature's website.

90            [~~4~~] (5) The legislative fiscal analyst shall have a master's degree in public  
91 administration, political science, economics, accounting, or the equivalent in academic or  
92 practical experience.

93            [~~5~~] (6) In carrying out the duties provided for in this section, the legislative fiscal  
94 analyst may obtain access to all records, documents, and reports necessary to the scope of the  
95 legislative fiscal analyst's duties according to the procedures contained in Title 36, Chapter 14,  
96 Legislative Subpoena Powers.

97            Section 2. **Effective date.**

98            This bill takes effect on July 1, 2012.

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**Legislative Review Note**  
**as of 1-16-12 6:18 PM**

**Office of Legislative Research and General Counsel**