

Representative Ken Ivory proposes the following substitute bill:

LEGISLATIVE CAPACITY STUDY

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ken Ivory

Senate Sponsor: Deidre M. Henderson

LONG TITLE

General Description:

This bill requires the Legislature to conduct a study on legislative capacity and the duties and responsibilities of state legislators.

Highlighted Provisions:

This bill:

- ▶ requires a request for proposals to conduct a study to:
 - assess and define the fundamental duties of state legislators and their constitutional role, duties, and responsibilities;
 - assess the workload and capacity of legislators in their fundamental duties, including preparing, reviewing, and passing legislation; and
 - to provide recommendations in order to facilitate legislators to better perform their fundamental duties and responsibilities within the legislative system;
- ▶ requires the study to analyze current information and also to provide analysis projected into the future, assuming a continued increase in the population of the state;
- ▶ requires the Legislative Management Committee to award a contract to an individual or entity to conduct the study; and
- ▶ requires the conclusions of the study to be presented to the Legislature.



26 **Money Appropriated in this Bill:**

- 27 This bill appropriates in fiscal year 2019:
- 28 ▶ to the Legislature - Legislative Services, as a one-time appropriation:
- 29 • from the General Fund, One-time ~~Ĥ~~→ [~~\$20,000~~] \$50,000 ←Ĥ .

30 **Other Special Clauses:**

31 This bill provides a special effective date.

32 **Utah Code Sections Affected:**

33 ENACTS:

34 **36-32-101**, Utah Code Annotated 1953

35 **36-32-103**, Utah Code Annotated 1953



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

38 Section 1. Section **36-32-101** is enacted to read:

39 **CHAPTER 32. LEGISLATIVE CAPACITY STUDY**

40 **36-32-101. Title.**

41 This chapter is known as "Legislative Capacity Study."

42 Section 2. Section **36-32-103** is enacted to read:

43 **36-32-103. Legislative Capacity Study -- Requirements -- Reporting -- Funding.**

44 (1) (a) The Legislature shall conduct a study to:

45 (i) assess and define the fundamental duties of state legislators and their constitutional
 46 role, duties, and responsibilities, which shall include an analysis of Article I, Section 27 of the
 47 Utah Constitution, which provisions states "Frequent recurrence to fundamental principles is
 48 essential to the security of individual rights and the perpetuity of free government";

49 (ii) assess the workload and capacity of the legislative system in supporting legislators
 50 in their fundamental duties, including preparing, reviewing, and passing legislation, and the
 51 capacities of legislative staff and legislators working within the system;

52 (iii) provide recommendations to the Legislature to facilitate legislators in the efficient
 53 and effective fulfillment of their fundamental duties and responsibilities within the legislative
 54 system, including both actions to undertake and actions to refrain from; and

55 (iv) any other requirements or findings approved by the Legislative Management
 56 Committee.

57 (b) The study shall address and evaluate the items in Subsection (1)(a) as they exist
58 currently, and also projected into the future, assuming a continued increase in the population of
59 the state.

60 (c) The study shall provide, in detail, the methods and data used to arrive at the
61 findings and recommendations resulting from the study.

62 (2) (a) The Legislative Management Committee shall, in accordance with the
63 requirements of Title 63G, Chapter 6a, Utah Procurement Code, issue a contract to an entity or
64 individual to conduct the study authorized under this section using standard procurement
65 procedures and best value procurement.

66 (3) The entity or individual conducting the study shall:

67 (a) complete the study no later than ~~H→ [November]~~ **September** ←H 1, 2019;

68 (b) present the findings of the study to the Legislative Management Committee ~~H→~~ ,

68a **Legislative Process Committee, ←H** and the

69 Government Operations Committee no later than ~~H→ [November]~~ **September** ←H 30, 2019; and

70 (c) provide to the committees written findings and a written analysis of the methods
71 and data used in the survey as part of their verbal presentation.

72 (4) The total cost of conducting and presenting the study shall not exceed the amount
73 appropriated in the bill authorizing the study.

74 **Section 3. Appropriation.**

75 The following sums of money are appropriated for the fiscal year beginning July 1,
76 2018, and ending June 30, 2019. These are additions to amounts previously appropriated for
77 fiscal year 2019. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
78 Act, the Legislature appropriates the following sums of money from the funds or accounts
79 indicated for the use and support of the government of the state of Utah.

80 ITEM 1

81 To Legislature - Legislative Services

82 From General Fund, One-time ~~H→ [\$20,000]~~ **\$50,000** ←H

83 Schedule of Programs:

84 Administration ~~H→ [\$20,000]~~ **\$50,000** ←H

85 The Legislature intends that the amount provided by this item be used to conduct and
86 present the study and opinion authorized under Title 36, Chapter 32, Legislative Capacity
87 Study.

88 Section 4. **Effective date.**

89 If approved by two-thirds of all the members elected to each house, this bill takes effect
90 upon approval by the governor, or the day following the constitutional time limit of Utah
91 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
92 the date of veto override.