

Norman K Thurston proposes the following substitute bill:

Executive Branch Agency Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Norman K Thurston

Senate Sponsor: Evan J. Vickers

LONG TITLE

General Description:

This bill addresses executive branch agencies.

Highlighted Provisions:

This bill:

- clarifies that the Utah Office of Data Privacy is an office within the Department of Government Operations (department);
- clarifies that the department exercises oversight of the state's comprehensive accounting system and executive branch payroll services;
- subjects the Division of Finance's establishment of the comprehensive state accounting system to departmental oversight;
- replaces the requirement that the director of the Division of Finance audit all claims against the state with a requirement that the director oversee internal controls relating to state financial transactions;
- updates the definition of "executive branch entity" for purposes of executive branch payroll services by:
 - removing a date-specific reference to participation in the Division of Finance's central payroll system; and
 - adding the Division of Technology Services as an entity included within the definition;
- changes the title of certain gubernatorial appointees to "commissioner," beginning on May 6, 2026; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

29 **Utah Code Sections Affected:**

30 AMENDS:

- 31 **63A-1-109**, as last amended by Laws of Utah 2022, Chapter 169
- 32 **63A-1-111**, as last amended by Laws of Utah 2016, Chapters 193, 298
- 33 **63A-3-202.5**, as renumbered and amended by Laws of Utah 2024, Chapter 398
- 34 **63A-3-203**, as last amended by Laws of Utah 2024, Chapter 398
- 35 **63A-17-402**, as renumbered and amended by Laws of Utah 2021, Chapter 344

36 ENACTS:

- 37 **67-1-18**, Utah Code Annotated 1953

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

40 Section 1. Section **63A-1-109** is amended to read:

41 **63A-1-109 . Divisions of department -- Administration.**

42 (1) The department is composed of:

43 (a) the following divisions:

- 44 (i) the Division of Purchasing and General Services, created in Section 63A-2-101;
- 45 (ii) the Division of Finance, created in Section 63A-3-101;
- 46 (iii) the Division of Facilities Construction and Management, created in Section
- 47 63A-5b-301;
- 48 (iv) the Division of Fleet Operations, created in Section 63A-9-201;
- 49 (v) the Division of Archives and Records Service, created in Section 63A-12-101;
- 50 (vi) the Division of Technology Services, created in Section 63A-16-103;
- 51 (vii) the Division of Human Resource Management, created in Section 63A-17-105;

52 and

53 (viii) the Division of Risk Management, created in Section [~~63A-16-201~~] 63A-4-101.5; [

54 ~~and~~]

55 (b) the Office of Administrative Rules, created in Section 63G-3-401[-] ; and

56 (c) the Utah Office of Data Privacy, created in Section 63A-19-301.

57 (2) Each division described in Subsection (1)(a) shall be administered and managed by a
58 division director.

59 (3) The department shall exercise oversight of:

60 (a) the comprehensive state accounting system established by the Division of Finance
61 under Section 63A-3-202.5; and

62 (b) payroll services provided by the Division of Human Resource Management under

63 Section 63A-17-402, including the use of the central payroll system developed by the
 64 Division of Finance.

65 Section 2. Section **63A-1-111** is amended to read:

66 **63A-1-111 . Service plans established by each division -- Contents -- Distribution.**

- 67 (1) Each division and each office of the department described in Subsections
 68 63A-1-109(1)(a) and (b) shall formulate and establish service plans for each fiscal year.
- 69 (2) The service plans shall describe:
- 70 (a) the services to be rendered to state agencies;
- 71 (b) the methods of providing those services;
- 72 (c) the standards of performance; and
- 73 (d) the performance measures used to gauge compliance with those standards.
- 74 (3) Before the beginning of each fiscal year, the service plans shall be distributed to each
 75 state agency that uses the services provided by that division.

76 Section 3. Section **63A-3-202.5** is amended to read:

77 **63A-3-202.5 . Comprehensive state accounting system -- Approval of agency**
 78 **accounting systems -- Cost accounting systems required.**

- 79 (1) [~~The~~] Subject to the oversight of the department, the director of the Division of Finance
 80 shall establish a comprehensive state accounting system.
- 81 (2) Officers, departments, agencies, and institutions of [-]Utah may create and maintain
 82 accounting systems only with the approval of the director.
- 83 (3) The director may, with the approval of the executive director, require any department or
 84 institution to install and maintain a cost accounting system that will disclose the unit cost
 85 of material or service produced or performed by a department.

86 Section 4. Section **63A-3-203** is amended to read:

87 **63A-3-203 . Accounting control over state departments and agencies --**
 88 **Prescription and approval of financial forms and accounting systems.**

- 89 (1) The director of the Division of Finance shall:
- 90 (a) exercise accounting control over all state departments and agencies except
 91 institutions of higher education; and
- 92 (b) prescribe the manner and method of certifying that funds are available and adequate
 93 to meet all contracts and obligations.
- 94 (2)(a) The director shall [~~audit all claims against the state for which an appropriation is~~
 95 ~~made~~] monitor internal controls over state financial transactions to ensure that the
 96 controls are designed, implemented, and operating effectively.

97 (b) The director may satisfy the requirement described in Subsection (2)(a) by relying on
 98 audits, reviews, or monitoring conducted by audit teams of state departments and
 99 agencies subject to the director's accounting control.

100 (3)~~(a)~~ The director shall prescribe:

101 ~~(i)~~ (a) all forms of requisitions, receipts, vouchers, bills, or claims to be used by all state
 102 departments and agencies; and

103 ~~(ii)~~ (b) all forms to be used by the division.

104 ~~(b) Before approving the forms in Subsection (3)(a), the director shall obtain approval~~
 105 ~~from the state auditor that the forms will adequately facilitate the post-audit of public~~
 106 ~~accounts.]~~

107 (4) Before implementation by any state agency, the director of the Division of Finance shall
 108 review and approve any accounting system developed by a state agency.

109 (5) If a state agency does not obtain the approval described in Subsection (4), the director
 110 may:

111 (a) require the state agency to cease all development activity related to the accounting
 112 system; and

113 (b)(i) establish conditions of future development of the accounting system; or

114 (ii) deny implementation of the accounting system.

115 Section 5. Section **63A-17-402** is amended to read:

116 **63A-17-402 . Division provides payroll services to executive branch agencies --**

117 **Report.**

118 (1) As used in this section:

119 (a)(i) "Executive branch entity" means a department, division, agency, board, or
 120 office within the executive branch of state government that employs a person who
 121 is paid through the central payroll system developed by the Division of Finance[
 122 ~~as of December 31, 2011].~~

123 (ii) "Executive branch entity" does not include:

124 (A) the Office of the Attorney General;

125 (B) the Office of the State Treasurer;

126 (C) the Office of the State Auditor;

127 (D) the Department of Transportation;

128 ~~(E) the Division of Technology Services;]~~

129 ~~(F)~~ (E) the Department of Public Safety;

130 ~~(G)~~ (F) the Department of Natural Resources; or

- 131 [~~H~~] (G) the Utah Schools for the Deaf and the Blind.
- 132 (b)(i) "Payroll services" means using the central payroll system as directed by the
- 133 Division of Finance to:
- 134 (A) enter and validate payroll reimbursements, which include reimbursements for
- 135 mileage, a service award, and other wage types;
- 136 (B) calculate, process, and validate a retirement;
- 137 (C) enter a leave adjustment; and
- 138 (D) certify payroll by ensuring an entry complies with a rule or policy adopted by
- 139 the department or the Division of Finance.
- 140 (ii) "Payroll services" does not mean:
- 141 (A) a function related to payroll that is performed by an employee of the Division
- 142 of Finance;
- 143 (B) a function related to payroll that is performed by an executive branch agency
- 144 on behalf of a person who is not an employee of the executive branch agency;
- 145 (C) the entry of time worked by an executive branch agency employee into the
- 146 central payroll system; or
- 147 (D) approval or verification by a supervisor or designee of the entry of time
- 148 worked.
- 149 (2) The division shall, subject to the oversight of the department, provide payroll services to
- 150 all executive branch entities.
- 151 (3) After September 19, 2012, an executive branch entity, other than the division or the
- 152 Division of Finance, may not create a full-time equivalent position or part-time position,
- 153 or request an appropriation to fund a full-time equivalent position or part-time position
- 154 for the purpose of providing payroll services to the entity.

155 Section 6. Section **67-1-18** is enacted to read:

156 **67-1-18 . Gubernatorial appointees -- Change in title.**

- 157 (1) Notwithstanding any other provision of law, beginning on May 6, 2026, the following
- 158 gubernatorial appointees holding the title of executive director or director shall hold the
- 159 title of commissioner:
- 160 (a) the director of the Department of Alcoholic Beverage Services, appointed under
- 161 Section 32B-2-205;
- 162 (b) the executive director of the Department of Commerce, appointed under Section
- 163 13-1-3;
- 164 (c) the executive director of the Department of Corrections, appointed under Section

- 165 64-13-3;
166 (d) the executive director of the Department of Cultural and Community Engagement,
167 appointed under Section 9-1-201.1;
168 (e) the executive director of the Department of Environmental Quality, appointed under
169 Section 19-1-104;
170 (f) the executive director of the Department of Government Operations, appointed under
171 Section 63A-1-105;
172 (g) the executive director of the Department of Health and Human Services, appointed
173 under Section 26B-1-203;
174 (h) the executive director of the Department of Natural Resources, appointed under
175 Section 79-2-202;
176 (i) the executive director of the Department of Transportation, appointed under Section
177 72-1-202;
178 (j) the executive director of the Department of Veterans and Military Affairs, appointed
179 under Section 71A-1-201;
180 (k) the executive director of the Department of Workforce Services, appointed under
181 Section 35A-1-201;
182 (l) the executive director of the Governor's Office of Economic Opportunity, appointed
183 under Section 63N-1a-302; and
184 (m) the executive director of the State Commission on Criminal and Juvenile Justice,
185 appointed under Section 63M-7-203.
186 (2) Other than with respect to the change in title, this section does not alter the duties,
187 compensation, or authority of a gubernatorial appointee described in Subsection (1).

188 Section 7. **Effective Date.**

189 This bill takes effect on May 6, 2026.