



Fiscal Notes  
for  
Substitutes &  
Amendments

H.J.R. 21, Master Study Item 183

“183. Rules on Fiscal Notes – to study the need for rules reform regarding fiscal notes for substitutes and amendments.”

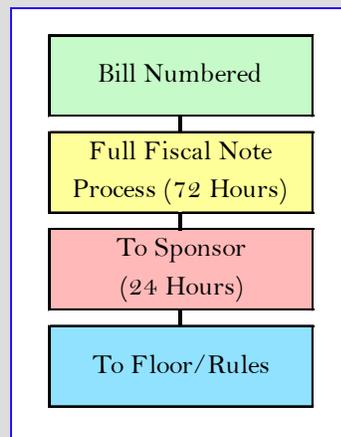


## JR4-2-403 Fiscal Notes

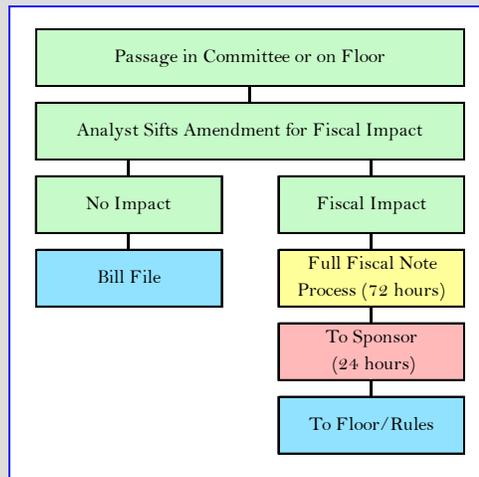
“(2) If an amendment or a substitute to legislation appears to substantively change the fiscal impact of the legislation, the Legislative Fiscal Analyst shall prepare an amended fiscal note for the legislation.”



## Current Practice for Bills & Subs



## Current Practice for Amendments



## Amendment Characteristics

- Often delivered “just in time.”
- Can be created in mid-debate.
- Fiscal Notes take 3 days.
- Analyst sifts for fiscal impact after first passage.



## Last Session's Statistics

Fiscal Notes		Amendments	
Regular Bills	684	House Committee	194
Substitute Bills	269	House Floor	250
Amendments	4	Senate Committee	136
<b>Total</b>	<u>957</u>	Senate Floor	202
		<b>Total</b>	<u>782</u>



## Time Spent on Fiscal Notes

- NCSL study has states using 30 to 100% of available time on fiscal notes
- The Utah Fiscal Analyst estimates 33% of total effort is spent on fiscal notes.
- During session, 50% is used for fiscal notes.



## Option 1: No Change

- There were 4 amended notes in the 2009 General Session.
- There were no complaints on amendments.



## Option 2: Mandatory Notes

- If the Analyst were to do fiscal notes on all amendments the way it does all substitutes, office workload during session would increase by 50%.
- Over the period of a year, the increase would be about 33%.



## Cost of Increased Workload

- Using the year-round staffing level of 33%, it would take 5 additional analysts at a cost of \$453,000
- Or it would increase overtime
- Or it would decrease the time available for other projects
- Or some combination of these
- Costs to executive branch offices would also increase.



## Option 3: By Legislator Request

- More than 99.5 % of amendments do not have a fiscal impact.
- If there is an expectation or question, a rule change could allow any legislator to request a fiscal note before debate continues.



## Option 4: Sifting

- With a rule change, certain legislators could sift all bills, substitutes, and amendments and request fiscal notes.
- Resulting in fewer fiscal notes to write.
- This would move the “pinch point” from before a committee hearing to later in the process.



## Option 5: Action Triggered Notes

- Only do fiscal notes on bills, substitutes, or amendments that have passed some threshold such as second reading or passage on the floor, etc.

