

Commission on Federalism Statutory Authority and Duties

November 6, 2014

Commission/Cochair	Authority or Duty	Statutory cite
The commission may:	evaluate a federal law - as agreed by a majority of the commission; or - submitted by a member of the Constitutional Defense Council	63C-4a-303(1)
	request, from a US senator or representative elected from the state, information regarding a federal law under evaluation	63C-4a-303(2)
	recommend that the governor call a special session to give the Legislature the opportunity to respond to the commission's evaluation of a federal law	63C-4a-303(4)
	apply for and receive grants and receive private donations to assist in funding the creation, enhancement, and dissemination of the federalism curriculum	63C-4a-303(9)
The commission shall:	on May 20 and October 20 of each year, submit a report by email to the Legislative Management Committee and the Government Operations Interim Committee	63C-4a-303(6)
	keep a current list on the Legislature's website of: - a federal law that the commission evaluates; - action taken by a commission cochair to address a federal law that the commission finds to be not authorized under the US Constitution or to violate the principle of federalism; - any coordination with another state through correspondence to discuss and coordinate the evaluation of and response to a federal law that violates the principle of federalism; and - any response received from a federal government entity relating to a federal law that the commission finds to be not authorized under the US Constitution or to violate the principle of federalism	63C-4a-303(7)
	develop a curriculum for a seminar on the principles of federalism	63C-4a-303(8)
	evaluate whether a federal law evaluated under Section 63C-4a-303 is authorized by the US Constitution	63C-4a-304(1)
	evaluate whether a federal law evaluated under Section 63C-4a-303 violates the principle of federalism	63C-4a-304(2)

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A commission cochair may:	(if the commission finds that a federal law is not authorized under the US Constitution or violates the principle of federalism) - request from a US senator or representative elected from the state: - information about the federal law; or - assistance in communicating with a federal governmental entity about the federal law; - give written notice to the federal governmental entity responsible for adopting or administering the federal law; - request a response from the federal governmental entity by a specific date; and - request a meeting with the federal governmental entity, a representative from another state, or a US senator or representative to discuss the evaluation of federal law and any possible remedy	63C-4a-303(3)
	coordinate the evaluation of and response to federal law with another state	63C-4a-303(5)
	correspond with the presiding officer of the legislative branch of another state or an entity of another state that has powers and duties similar to those of the commission to discuss and coordinate the evaluation of and response to federal law	63C-4a-305