

# **Legislative Review of Boards and Commissions**

**2020 H.B. 10 – Boards and Commissions Amendments**

## **OFFICE OF LEGISLATIVE RESEARCH AND GENERAL COUNSEL**

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Government Operations Interim Committee

September 16, 2020

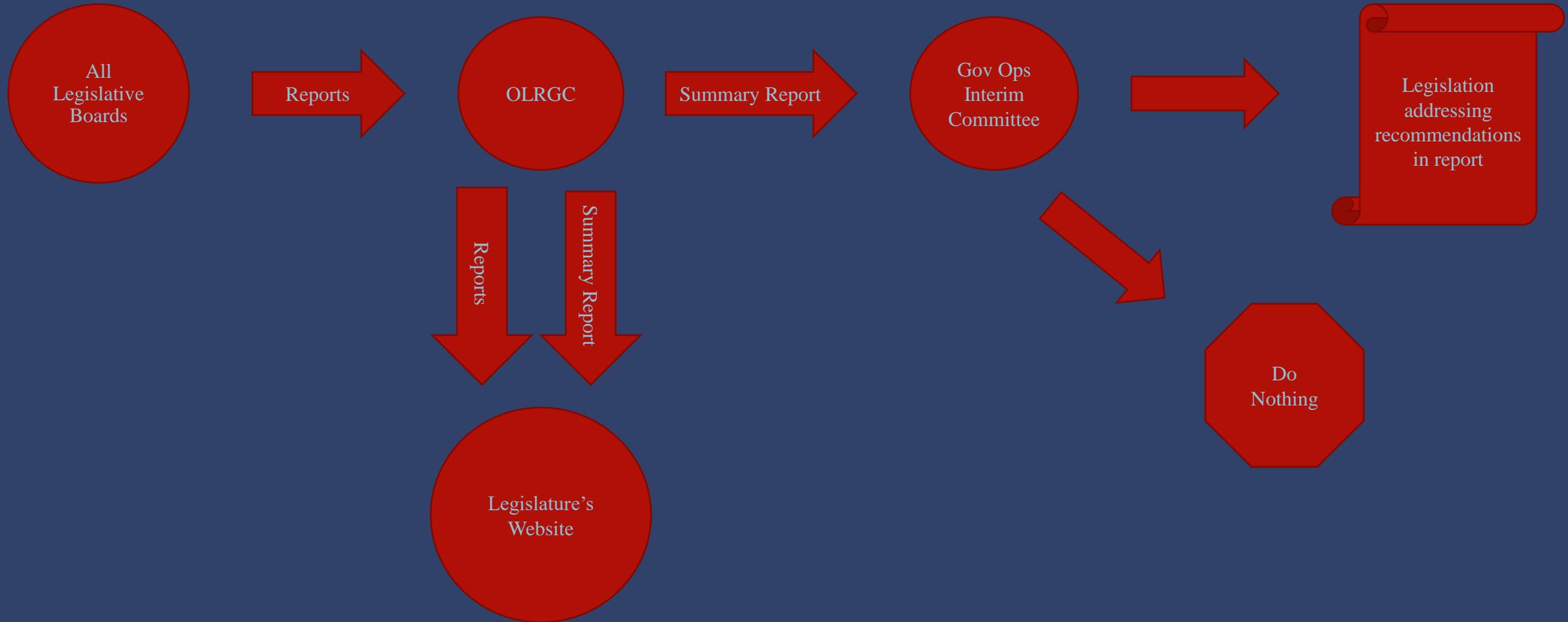


# Legislative Boards - § 36-12-22

- **“Legislative Boards” are boards, commissions, councils, committees, working groups, task forces, study groups, advisory groups, or other bodies created by statute or legislative rule which have exclusive or majority legislative membership or which receive staff support from a legislative office.**
- **Every 5 years, beginning in 2024, each legislative board shall prepare and submit to OLRGC a report explaining:**
  - What the board has done for the past 5 years;
  - Whether any changes are needed to make the board more effective; and
  - Whether the board should continue to exist.
- **OLRGC shall prepare a summary of the reports for the president of the Senate, the speaker of the House, and the Government Operations Interim Committee. The summary report shall also be published on the Legislature’s website.**



# Legislative Boards - § 36-12-22



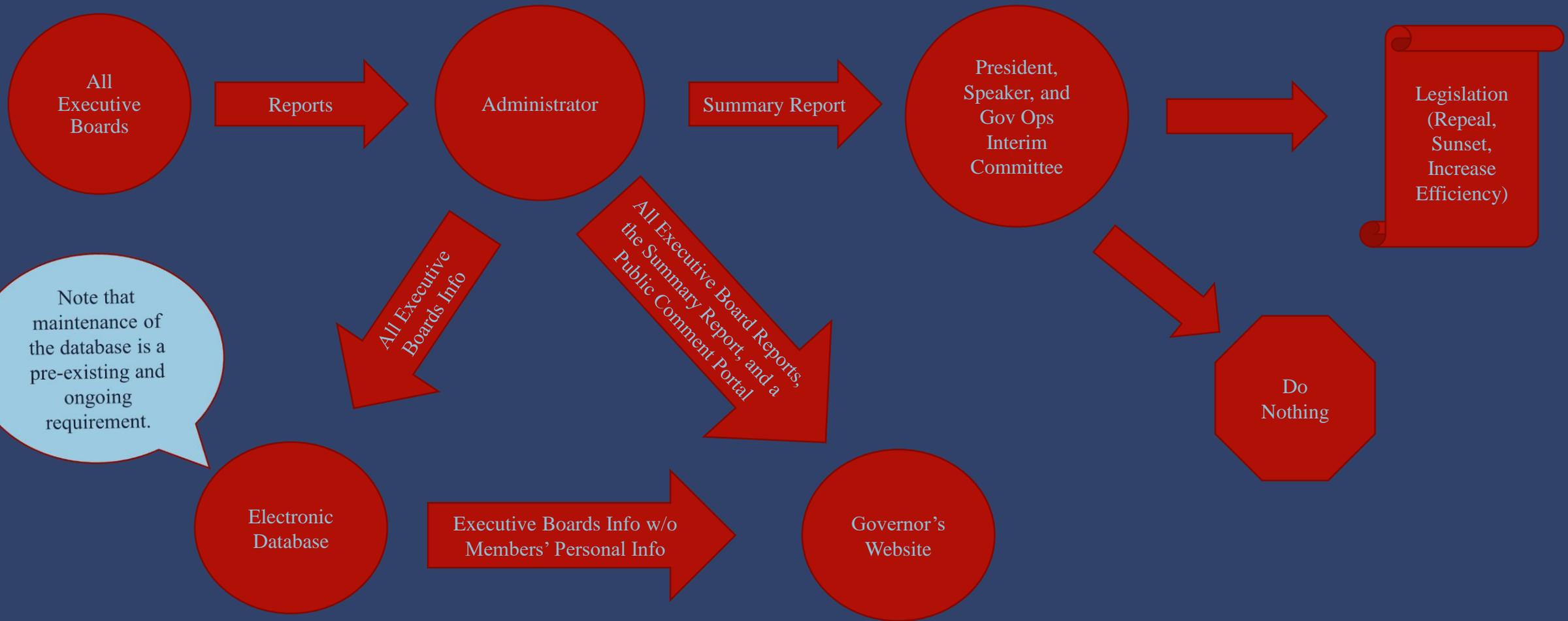


# Executive Boards - § 67-1-2.5

- **“Executive Boards” are executive branch boards, commissions, etc. created by the constitution, statute, executive order, the governor or lieutenant governor, attorney general, state auditor, or state treasurer, or by the head of an executive administrative subunit.**
- **The governor shall designate a “board and commissions administrator” (not new with H.B. 10).**
- **Once every 5 years beginning in 2024, each executive board shall prepare and submit to the administrator a report explaining:**
  - The board’s official function and purpose;
  - What the board has done for the past five years;
  - Whether any statutory, rule, or other changes are needed to make the board more effective; and
  - Whether the board should continue to exist.
- **The administrator shall prepare a summary report for the president of the Senate, the speaker of the House, and the Government Operations Interim Committee.**
- **The administrator shall ensure that the governor’s website includes certain information about executive boards and a portal for public comment about sitting and appointed executive board members.**



# Executive Boards - § 67-1-2.5

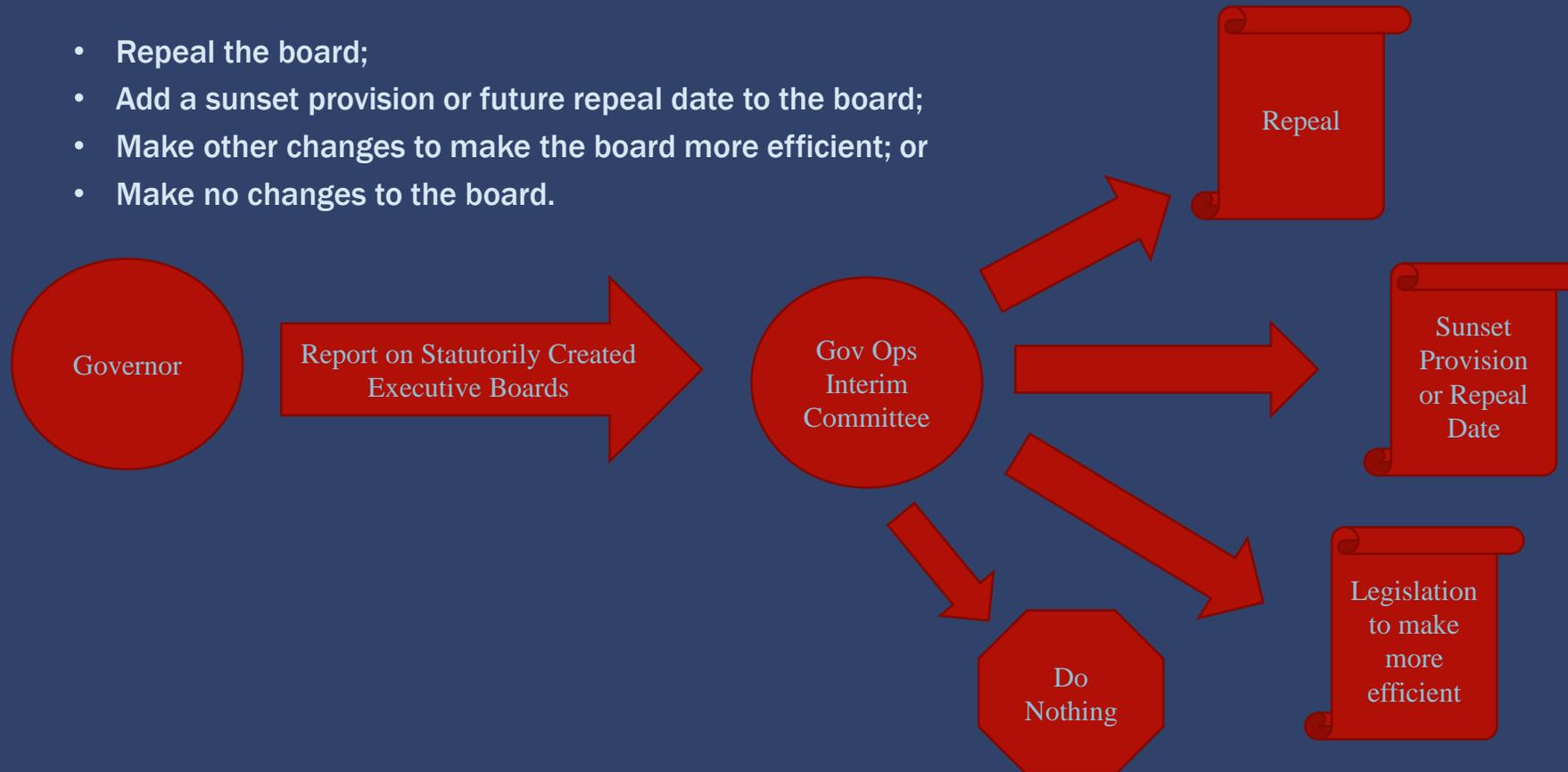


Note that maintenance of the database is a pre-existing and ongoing requirement.

# Executive Boards - § 67-1-2.5

- The year after an executive board is statutorily created, the governor shall review the board and submit a report to the Government Operations Interim Committee recommending that the Legislature:

- Repeal the board;
- Add a sunset provision or future repeal date to the board;
- Make other changes to make the board more efficient; or
- Make no changes to the board.



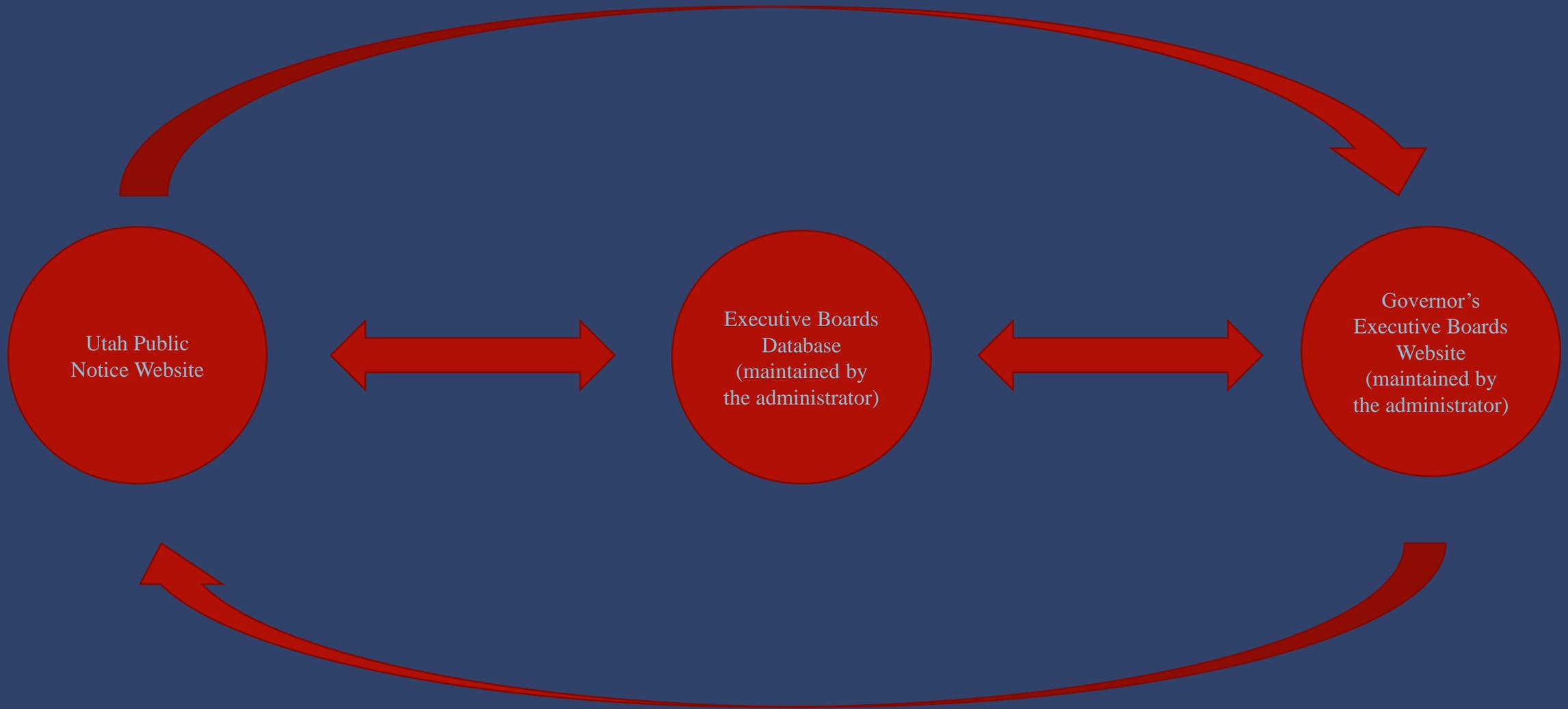


# Public Notice Website - § 63F-1-701

- **The Division of Archives and Records Service and the governor's office shall coordinate to ensure that the Utah Public Notice Website, the executive boards database, and the executive boards website automatically share information to ensure that:**
  - An individual who subscribes to receive information related to a public body receives notifications of vacancies and a link to apply to fill a vacancy;
  - An individual who accesses an executive board's information on the Public Notice Website can then access, through the website:
    - The executive board's information in the database (except for members' personal information); and
    - The portal to provide input on a nominee or member of the executive board.
- **The Division and the governor's office shall comply with these requirements as soon as reasonably possible within existing funds appropriated to the Division and the governor's office.**
- **The Division shall report annually to the administrator all executive boards that did not submit a notice of public meeting during the previous fiscal year.**



# Public Notice Website - § 63F-1-701



# 2021 Sunsets - § 36-12-22

If an executive or legislative board is assigned to another interim committee for review under the Legislative Oversight and Sunset Act (§ 63I-1-101 et seq.), the Government Operations Interim Committee may coordinate with that interim committee to prepare any appropriate legislation.

Board	Sunset Date	Title 63I Reference	Committee
State Weed Committee	7/1/2021	63I-1-204(2)	NAE
Board of Financial Institutions	7/1/2021	63I-1-207(1)	BUS
Land Use and Eminent Domain Advisory Board	7/1/2021	63I-1-213(3)	POL
Air Quality Policy Advisory Board	7/1/2021	63I-1-219(2)	NAE
Kurt Oscarson Children's Organ Transplant Coordinating Committee	7/1/2021	63I-1-226(16)	HHS
Child Care Advisory Committee	7/1/2021	63I-1-235(3)	EDW
Health Reform Task Force	6/1/2021	63I-1-236(5)	HHS
Emergency Management Administration Council	7/1/2021	63I-1-253(1)	LAW
Advisory Council for the Utah Schools for the Deaf and the Blind	7/1/2021	63I-1-253(18)	EDU
Residential Mortgage Regulatory Commission	7/1/2021	63I-1-261	BUS

# 2021 Sunsets and Repeals - § 36-12-22

Board	Sunset Date	Title 63I Reference	Committee
Point of the Mountain Development Commission	7/1/2021	63I-1-263(8)	TPT
Federal Land Application Advisory Committee	7/1/2021	63I-1-263(22)	NAE
Utah Commission on Aging	7/1/2021	63I-1-263(26)	HHS
Local Advisory Boards for Children's Justice Center	7/1/2021	63I-1-267(5)	JUD

## Committee Abbreviations

BUS – Business and Labor

EDU – Education

EDW – Economic Development and Workforce Services

HHS – Health and Human Services

JUD - Judiciary

LAW – Law Enforcement and Criminal Justice

NAE – Natural Resources, Agriculture, and Environment

POL – Political Subdivisions

TPT – Transportation



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