



Utah Marriage  
Commission  
at Utah State University

MEMO

To: Christopher Williams and HHS Interim Committee

From: Representative Melissa Ballard (Chair of the Utah Marriage Commission)  
Dr. Brian Higginbotham (Utah State University – host of the Utah Marriage Commission)

Date: May 11, 2022

RE: 2022 HHS Interim Sunset Review - Utah Marriage Commission

Thank you for the opportunity to provide feedback regarding the non-lapsing status of dedicated credits for the Utah Marriage Commission. It is essential that the sunset provision be repealed. As recently as 2021 (HB 55), the Utah Legislature voted to continue the Utah Marriage Commission. House Bill 55 was sponsored by Representative Melissa Ballard and Senator Todd Weiler. It passed the House by a vote of 68-5 and cleared the Senate without a single nay vote. As passed:

- This bill
  - moves oversight responsibility of the Utah Marriage Commission from the Department of Human Services to Utah State University;
  - changes the membership of the Utah Marriage Commission;
  - modifies provisions relating to appointment, reappointment, and removal of commission members;
  - repeals the sunset date for the marriage license fee, replacing it with a reporting requirement; and
  - repeals sunset date provisions related to pre-marriage counseling and education

It was the understanding of the legislative sponsor, the Utah Marriage Commission, and the new host (Utah State University) that the repeal of the sunset date for the marriage license fee ALSO repealed the sunset date for the non-lapsing dedicated credit. However, we were just advised by the Office of Legislative Research and General Counsel on May 4<sup>th</sup> that HB 55 did not override the sunset provision in [Utah Code 61I-1-263\(18\)](#) as intended. This is disconcerting.

The dedicated credits come to the Utah Marriage Commission on a monthly basis and are used consistent with HB 55 to support a wide variety of activities. For example, we “promote coalitions and collaborative efforts to uphold and encourage a strong and healthy culture of strong and lasting marriages and stable families.” We also offer “classes and services, including those designed to promote strong, healthy, and lasting marriages and prevent domestic violence.” The scheduling of these services and the availability of public and private partners are not set on

a fixed schedule. Within the structure of our new host (Utah State University), the Commission is planning ahead for future initiatives. In many cases, these services and activities (e.g., conferences, podcasts) take months to plan and costs are uncertain. Permitting the dedicated credits to carry-over from year-to-year allows the Commission to plan ahead, budget efficiently, and leverage private support.

Because HB 55 made changes to the Commission, it is not possible to forecast exactly how much the Commission will receive in dedicated credits in future years. Further, the credits come in monthly installments which fluctuate depending on how many people file for marriage licenses each month. In the case of June credits, we don't know how much we will receive until mid-June, which is only weeks before the end of the fiscal year. In a similar vein, we would be unable to fulfill our duties in July if we had to start each fiscal year with a zero balance.

We respectfully request the Committee honor HB 55, which intended to replace sunset provisions with a reporting requirement. We respectfully request a permanent repeal of the lingering sunset of dedicated credits ([Utah Code 61I-1-263\(18\)](#)), which we assumed was overruled by HB 55. Thank you.