



Fiscal Note
H.B. 140 1st Sub. (Buff)
 2022 General Session
 Government Attorney Fees Amendments
 by Birkeland, K. (Birkeland, Kera.)



General, Education, and Uniform School Funds

JR4-4-101

	Ongoing	One-time	Total
Net GF/EF/USF (rev.-exp.)	\$0	\$0	\$0

State Government

UCA 36-12-13(2)(c)

Revenues	FY 2022	FY 2023	FY 2024
Total Revenues	\$0	\$0	\$0

Enactment of this legislation likely will not materially impact state revenue.

Expenditures	FY 2022	FY 2023	FY 2024
Total Expenditures	\$0	\$0	\$0

Enactment of this legislation requires a governmental entity to pay up to a total of \$100,000 for attorney fees, and at the court's discretion expert fees, incurred by a non-governmental party who prevails in a civil action against the governmental entity. Under this framework the state could have been required to pay approximately \$10 million annually each of the past five fiscal years assuming attorney and expert fees equal 40 percent of amounts paid to non-governmental parties by the Division of Risk Management in an average of 1,740 cases annually.

Net All Funds	FY 2022	FY 2023	FY 2024
	\$0	\$0	\$0

Local Government

UCA 36-12-13(2)(c)

Enactment of this legislation requires a governmental entity to pay up to a total of \$100,000 for attorney fees, and at the court's discretion expert fees, incurred by a non-governmental party who prevails in a civil action against the governmental entity. Under this framework political subdivisions could have been required to pay approximately \$6 million annually each of the past five fiscal years assuming attorney and expert fees equal 40 percent of amounts paid to non-governmental parties by the Division of Risk Management in an average of 900 cases annually.

Individuals & Businesses

UCA 36-12-13(2)(c)

Enactment of this legislation likely will not result in direct expenditures from tax or fee changes for Utah residents and businesses.

Regulatory Impact

UCA 36-12-13(2)(d)

Enactment of this legislation likely will not change the regulatory burden for Utah residents or businesses.

Performance Evaluation

JR1-4-601

This bill does not create a new program or significantly expand an existing program.

Notes on Notes

Fiscal notes estimate the direct costs or revenues of enacting a bill. The Legislature uses them to balance the budget. They do not measure a bill's benefits or non-fiscal impacts like opportunity costs, wait times, or inconvenience. A fiscal note is not an appropriation. The Legislature decides appropriations separately.