



**Fiscal Note**  
**H.B. 173 1st Sub. (Buff)**  
2023 General Session  
Government Attorney Fees Amendments  
by Birkeland, K. (Birkeland, Kera.)



**General, Income Tax, and Uniform School Funds**

JR4-4-101

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

**State Government**

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

Revenues	FY 2023	FY 2024	FY 2025
Total Revenues	\$0	\$0	\$0
Enactment of this legislation likely will not materially impact state revenue.			
Expenditures	FY 2023	FY 2024	FY 2025
Total Expenditures	\$0	\$0	\$0
Enactment of this legislation requires a governmental entity to pay attorney fees, excluding certain scenarios, 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 an estimated \$6.2 million annually assuming attorney fees equal 25 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 2023	FY 2024	FY 2025
	\$0	\$0	\$0

**Local Government**

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

Enactment of this legislation requires a governmental entity to pay attorney fees, excluding certain, 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 an estimated \$3.6 million annually assuming attorney and expert fees equal 25 percent of amounts paid to non-governmental parties by the Division of Risk Management in an average of 900 cases annually.
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**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.
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**Regulatory Impact**

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

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