

Part 2 Financial Settlement Agreements

63G-10-201 Governor to approve financial settlement agreements.

- (1) Before legally binding the state by executing a financial settlement agreement that might cost government entities more than \$100,000 to implement, an agency shall submit the proposed financial settlement agreement to the governor for the governor's approval or rejection.
- (2) The governor shall approve or reject each financial settlement agreement.
- (3)
 - (a) If the governor approves the financial settlement agreement, the agency may execute the agreement.
 - (b) If the governor rejects the financial settlement agreement, the agency may not execute the agreement.
- (4) If an agency executes a financial settlement agreement without obtaining the governor's approval under this section, the governor may issue an executive order declaring the settlement agreement void.

Renumbered and Amended by Chapter 382, 2008 General Session

63G-10-202 Legislative review and approval of financial settlement agreements.

- (1)
 - (a) Before legally binding the state by executing a financial settlement agreement that might cost government entities more than \$500,000 to implement, an agency shall:
 - (i) submit the proposed financial settlement agreement to the governor for the governor's approval or rejection as required by Section 63G-10-201; and
 - (ii) if the governor approves the financial settlement agreement, submit the financial settlement agreement to the Legislative Management Committee for its review and recommendations.
 - (b) The Legislative Management Committee shall review the financial settlement agreement and may:
 - (i) recommend that the agency execute the financial settlement agreement;
 - (ii) recommend that the agency reject the financial settlement agreement; or
 - (iii) recommend to the governor that the governor call a special session of the Legislature to review and approve or reject the financial settlement agreement.
- (2)
 - (a) Before legally binding the state by executing a financial settlement agreement that might cost government entities more than \$1,000,000 to implement, an agency shall:
 - (i) submit the proposed financial settlement agreement to the governor for the governor's approval or rejection as required by Section 63G-10-201; and
 - (ii) if the governor approves the financial settlement agreement, submit the financial settlement agreement to the Legislature for its approval in an annual general session or a special session.
 - (b)
 - (i) If the Legislature approves the financial settlement agreement, the agency may execute the agreement.
 - (ii) If the Legislature rejects the financial settlement agreement, the agency may not execute the agreement.

- (c) If an agency executes a financial settlement agreement without obtaining the Legislature's approval under this Subsection (2):
 - (i) the governor may issue an executive order declaring the settlement agreement void; or
 - (ii) the Legislature may pass a joint resolution declaring the settlement agreement void.

Renumbered and Amended by Chapter 382, 2008 General Session