

63G-10-303 Legislative review and approval of action settlement agreements.

- (1)
- (a) Before legally binding the state by executing an action settlement agreement that might cost government entities more than \$500,000 to implement, an agency shall:
 - (i) submit the proposed action settlement agreement to the governor for the governor's approval or rejection as required by Section 63G-10-302; and
 - (ii) if the governor approves the action settlement agreement, submit the action settlement agreement to the Legislative Management Committee for its review and recommendations.
 - (b) The Legislative Management Committee shall review the action settlement agreement and may:
 - (i) recommend that the agency execute the settlement agreement;
 - (ii) recommend that the agency reject the 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 settlement agreement.
- (2)
- (a) Before legally binding the state by executing an action settlement agreement that might cost government entities more than \$1,000,000 to implement, an agency shall:
 - (i) submit the proposed action settlement agreement to the governor for the governor's approval or rejection as required by Section 63G-10-302; and
 - (ii) if the governor approves the action settlement agreement, submit the action settlement agreement to the Legislature for its approval in an annual general session or a special session.
 - (b)
 - (i) If the Legislature approves the action settlement agreement, the agency may execute the agreement.
 - (ii) If the Legislature rejects the action settlement agreement, the agency may not execute the agreement.
 - (c) If an agency executes an action settlement agreement without obtaining the Legislature's approval under this Subsection (2):
 - (i) the governor may issue an executive order declaring the action settlement agreement void;
or
 - (ii) the Legislature may pass a joint resolution declaring the action settlement agreement void.

Renumbered and Amended by Chapter 382, 2008 General Session