

**FISCAL NOTE ON LEGISLATION**

1998 GENERAL SESSION

STATE OF UTAH

**Sponsor: Martin R. Stephens**

AN ACT RELATING TO THE LEGISLATURE; PROVIDING THE OFFICE OF THE LEGISLATIVE FISCAL ANALYST GIVE A COST ESTIMATE TO CITIZENS OF LEGISLATION; AND MAKING TECHNICAL CHANGES.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**36-12-13**, as last amended by Chapter 166, Laws of Utah 1992

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **36-12-13** is amended to read:

**36-12-13. Office of Legislative Fiscal Analyst established -- Powers, functions, and duties -- Qualifications.**

(1) There is established an Office of Legislative Fiscal Analyst as a permanent staff office for the Legislature.

(2) The powers, functions, and duties of the Office of Legislative Fiscal Analyst under the supervision of the fiscal analyst are:

(a) to analyze in detail the executive budget before the convening of each legislative session and make recommendations to the Legislature on each item or program appearing in the executive budget;

(b) to prepare cost estimates on all proposed bills that anticipate state government expenditures;

(c) to prepare cost estimates on all proposed bills that anticipate expenditures by county, municipal, or special district governments;

(d) to prepare cost estimates on all proposed bills that anticipate direct expenditures by any Utah resident, and the cost to the overall impacted Utah resident population;

~~(d)~~ (e) to prepare a review and analysis of revenue estimates for existing and proposed revenue acts;

~~[(e)]~~ (f) to report instances in which the administration may be failing to carry out the expressed intent of the Legislature;

~~[(f)]~~ (g) to direct attention to each new proposed service contained in the governor's budget;

~~[(g)]~~ (h) to direct attention to each budget item previously denied by the Legislature;

~~[(h)]~~ (i) to propose and analyze statutory changes for more effective operational economies or more effective administration;

~~[(i)]~~ (j) to prepare, after each session of the Legislature, a summary showing the effect of the final legislative program on the financial condition of the state;

~~[(j)]~~ (k) to conduct organizational and management improvement studies;

~~[(k)]~~ (l) to prepare and deliver upon request of any interim committee or the Legislative Management Committee, reports on the finances of the state and on anticipated or proposed requests for appropriations;

~~[(l)]~~ (m) to recommend areas for research studies by the executive department or the interim committees;

~~[(m)]~~ (n) to assist in prescribing the format for the presentation of the governor's budget to facilitate program and in-depth review of state expenditures in accordance with Sections 63-38-14 and 63-38-15;

~~[(n)]~~ (o) to recommend to the appropriations subcommittees the agencies or programs for which an in-depth budget review should be requested, and to recommend to the Legislative Management Committee the priority in which the request should be made;

~~[(o)]~~ (p) to appoint and develop a professional staff within budget limitations; and

~~[(p)]~~ (q) to prepare and submit the annual budget request for the office.

(3) The legislative fiscal analyst shall have a master's degree in public administration, political science, economics, accounting, or the equivalent in academic or practical experience.

(4) In carrying out the duties provided for in this section, the legislative fiscal analyst may obtain access to all records, documents, and reports necessary to the scope of his duties according to the procedures contained in Title 36, Chapter 14, Legislative Subpoena Powers.