

1 **FISCAL NOTE ON LEGISLATION**

2 1998 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Martin R. Stephens**

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

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

9 AMENDS:

10 **36-12-13**, as last amended by Chapter 166, Laws of Utah 1992

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18          ~~[(m)]~~ (n) to assist in prescribing the format for the presentation of the governor's budget  
19 to facilitate program and in-depth review of state expenditures in accordance with Sections  
20 63-38-14 and 63-38-15;

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

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

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

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

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

**Legislative Review Note**  
**as of 1-26-98 10:39 AM**

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**