

28 be privatized to provide the same types and quality of services that would result in cost
29 savings;

30 (b) review particular requests for privatization of services and issues concerning
31 agency competition with the private sector and determine whether privatization would be
32 feasible and would result in cost savings and ways to eliminate any unfair competition;

33 (c) recommend privatization to the agency head when the proposed privatization is
34 demonstrated to provide a more cost efficient and effective manner of providing existing
35 governmental services;

36 (d) comply with the provisions of Title 63, Chapter 46a, the Utah Administrative
37 Rulemaking Act, in making rules establishing privatization standards, procedures, and
38 requirements;

39 (e) maintain communication with and access information from, other entities
40 promoting privatization;

41 (f) prepare an annual report that contains:

42 (i) information about the board's activities; and

43 (ii) recommendations on privatizing government services; and

44 (g) submit the annual report to the Legislature and the governor.

45 (2) In addition to filing copies of its recommendations for privatization with the
46 relevant agency head, the board shall file copies of its recommendations for privatization with:

47 (a) the governor's office; and

48 (b) the Office of Legislative Fiscal Analyst for submission to the relevant Legislative
49 Appropriation Subcommittee.

50 (3) (a) The board may appoint advisory groups to conduct studies, research, analyses,
51 and make reports and recommendations with respect to subjects or matters within the
52 jurisdiction of the board.

53 (b) At least one member of the board shall serve on each advisory group.

54 (4) This chapter does not preclude any agency from privatizing any service or function
55 independently of the board if:

56 [~~(a) the contract is expending less than \$2,000,000 of the agency budget in a fiscal~~
57 ~~year;~~]

58 [~~(b)~~ (a) as part of the contract that privatizes the function, the contractor assumes all

59 liability to perform the privatized function; and
60 [~~(c)~~] (b) the agency notifies the board at least 120 days before the privatization occurs
61 of [~~their~~] its intent to privatize the function.

Legislative Review Note
as of 2-3-03 9:24 AM

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

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0302

Privatization Policy Board Amendments

11-Feb-03

10:16 AM

State Impact

No fiscal impact

Individual and Business Impact

No fiscal impact

Office of the Legislative Fiscal Analyst