

**JOINT RULES RESOLUTION - FISCAL
NOTE PROCESS AMENDMENTS**

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Lyle W. Hillyard

LONG TITLE

General Description:

This bill modifies joint rules governing when fiscal notes will be printed on bills.

Highlighted Provisions:

This resolution:

- ▶ provides that fiscal notes will be printed on bills 24 hours after the fiscal note has been sent to the sponsor of the bill;
- ▶ provides that fiscal notes sent to a sponsor on Friday will not be printed on the bill until the following Monday; and
- ▶ provides options for a sponsor's disposition of fiscal notes.

Special Clauses:

This resolution provides an immediate effective date.

Legislative Rules Affected:

AMENDS:

JR-4.22

Be it resolved by the Legislature of the state of Utah:

Section 1. **JR-4.22** is amended to read:

JR-4.22. Bills; Requests; Drafting; Copies; Notes.

(1) (a) A legislator desiring to introduce a bill that enacts, amends, or repeals statutes shall file a Request for Legislation with the Office of Legislative Research and General Counsel within the time limits established by JR-19.02.

(b) A legislator desiring to obtain funding for a project, program, or entity, when that

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funding request does not require that a statute be enacted, repealed, or amended, may not file a Request for Legislation but instead shall comply with the procedures and requirements of JR-4.22.1.

(c) The request shall designate:

(i) the chief sponsor who is knowledgeable about and responsible for providing pertinent information as the bill is processed; and

(ii) any supporting legislators who wish to cosponsor the bill.

(2) (a) When a member files a Request for Legislation, the Office of Legislative Research and General Counsel shall:

(i) review the request and any accompanying bill; and

(ii) with the approval of the sponsor, prepare the legislation for introduction by making any changes necessary to:

(A) ensure that it is in proper legal form;

(B) remove any ambiguities;

(C) avoid constitutional or statutory conflicts;

(D) insure a uniform system of punctuation, capitalization, numbering, and wording;

(E) eliminate duplication and repeal of laws directly or by implication;

(F) correct defective or inconsistent section and paragraph structure in arrangement of the subject matter of existing statutes;

(G) eliminate all obsolete and redundant words; and

(H) correct obvious errors and inconsistencies in punctuation, capitalization, numbering, and wording.

(b) Legislative General Counsel shall indicate on the first page of the bill the drafting attorney's approval of the bill.

(3) The Office of Legislative Research and General Counsel shall send an electronic copy of the approved bill to:

(a) the Chief Clerk or the Secretary; and

(b) the Legislative Fiscal Analyst.

(4) (a) As used in this Subsection (4):

(i) (A) "Legislative committee" means a committee, commission, task force, or other policy or advisory body that is created by statute, legislation, or by the Legislative Management Committee and that is composed exclusively of legislators.

(B) "Legislative committee" does not mean a standing committee.

(C) Notwithstanding Subsection (4)(a)(i)(B), "Legislative committee" includes the Rules Committee.

(ii) "Mixed committee" means a committee, commission, task force, or other policy or advisory body that is:

(A) created by statute, legislation, or by the Legislative Management Committee;

(B) composed of legislator members and nonlegislative members; and

(C) staffed by the Office of Legislative Research and General Counsel or the Legislative Fiscal Analyst.

(b) The Director of the Office of Legislative Research and General Counsel shall:

(i) note on any bill reviewed by a legislative committee that the committee recommends the bill or has voted the bill out without recommendation;

(ii) note on any bill reviewed by a mixed committee:

(A) the number of legislators and nonlegislators on the mixed committee;

(B) the number of legislators who voted for and against recommending the bill; and

(C) that the committee recommends the bill or has voted the bill out without recommendation; and

(iii) ensure that the note is printed with the bill.

(5) (a) Any Request for Legislation filed directly with the Office of Legislative Research and General Counsel, with an accompanying bill, shall be reviewed and approved by it within three legislative days.

(b) A legislative review note shall be attached to the bill, together with any interim committee note.

(c) This three day deadline may be extended if the Director of the Office of Legislative

Research and General Counsel requests it and states the reasons for the delay.

(6) (a) (i) When the Legislative Fiscal Analyst receives the approved bill, that office has three legislative days to review the bill and provide a fiscal note to the sponsor of the legislation.

(ii) The fiscal note may be printed 24 hours after it has been sent to the sponsor [~~receives it~~] unless [~~the sponsor receives~~] the fiscal note is sent on a Friday, in which case the 24-hour period does not expire until the following Monday.

(iii) The sponsor may:

(A) approve the fiscal note;

(B) direct an earlier release of the fiscal note for printing[-];

(C) direct that the fiscal note be held; or

(D) if the sponsor disagrees with the fiscal note, contact the Legislative Fiscal Analyst to discuss that disagreement and provide evidence, data, or other information to support a revised fiscal note.

(iv) The fiscal analyst shall make the final determination on the fiscal note.

~~(iv)~~ (v) If the Legislative Fiscal Analyst determines the bill has no fiscal impact, it may be ordered printed immediately after the sponsor has received a copy of the fiscal note, without a 24-hour delay.

(b) The three day deadline for the preparation of the fiscal note may be extended if the Legislative Fiscal Analyst requests it and states the reasons for the delay.

(c) The fiscal note shall be printed with the bill.

(7) (a) The reports of the Legislative Fiscal Analyst and the Office of Legislative Research and General Counsel shall be attached to the original copy of the bill.

(b) The report is not an official part of the bill.

Section 2. **Effective date.**

This resolution takes effect upon approval by a constitutional majority vote of all members of the Senate and House of Representatives.