

1 **JUDICIAL CONFIRMATION PROCESS**

2 **AMENDMENTS**

3 2004 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: D. Chris Buttars**

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions relating to the information the Senate receives regarding
10 gubernatorial judicial appointees.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ requires the governor to provide the Senate Judicial Confirmation Committee with
14 the same information provided the governor by the Judicial Nominating
15 Commission;

16 ▶ requires the governor to provide any letters received regarding the judicial appointee
17 unless the letter directs that it may not be shared; and

18 ▶ establishes that the Senate Judicial Confirmation Committee may classify records it
19 receives from the governor as private in accordance with Section 63-3-302.

20 **Monies Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **67-1-2**, as last amended by Chapter 196, Laws of Utah 1992



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

29 Section 1. Section **67-1-2** is amended to read:

30 **67-1-2. Sending list of gubernatorial nominees to Senate and to Office of**
31 **Legislative Research and General Counsel.**

32 (1) Unless waived by a majority of the president of the Senate, the Senate majority
33 leader, and the Senate minority leader, 15 days before any Senate session to confirm any
34 gubernatorial [~~nominees;~~ nominee, except a judicial appointment, the governor shall send to
35 each member of the Senate and to the Office of Legislative Research and General Counsel:

36 (a) a list of each nominee for an office or position made by the governor in accordance
37 with the Utah Constitution and state law; and

38 (b) any information that may support or provide biographical information about the
39 nominee, including resumes and curriculum vitae.

40 (2) When the governor makes a judicial appointment, the governor shall immediately
41 provide to the president of the Senate and the Office of Legislative Research and General
42 Counsel:

43 (a) the name of the judicial appointee; and

44 (b) the judicial appointee's:

45 (i) resume;

46 (ii) complete file of all the application materials the governor received from the
47 Judicial Nominating Commission; and

48 (iii) any other related documents, including any letters received by the governor about
49 the appointee, unless the letter specifically directs that it may not be shared.

50 (3) Records received by the Senate Judicial Confirmation Committee from the
51 governor pursuant to this section may be classified as private in accordance with Section
52 63-2-302.

53 [~~(2)~~] (4) The Senate shall consent or refuse to give its consent to the nomination or
54 judicial appointment.

Legislative Review Note
as of 1-27-04 4:55 PM

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 SB0150

Judicial Confirmation Process Amendments

02-Feb-04

10:54 AM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst