JOINT RULES RESOLUTION - FAMILY
IMPACT STATEMENT ON LEGISLATION

2005 GENERAL SESSION
STATE OF UTAH

Sponsor: Craig A. Frank

LONG TITLE

General Description:
This rules resolution requires that certain bills include a Family Impact Statement.

Highlighted Provisions:
This resolution:
• requires that the Office of Legislative Research and General Counsel and the Legislative Fiscal Analyst prepare a Family Impact Statement when requested to do so by the sponsor, the standing committee chair having possession of the bill, either cochair of an interim committee having possession of the bill, the president, or the speaker;
• defines "family";
• defines the content required to be included in the Family Impact Statement; and
• makes technical corrections.

Special Clauses:
This resolution takes effect May 2, 2005.

Legislative Rules Affected:
AMENDS:
JR-4.22
ENACTS:
JR-4.22.2
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obtain funding for a project, program, or entity, when that funding request does not require that a statute be enacted, repealed, or amended, may not file a Request for Legislation but instead shall comply with the procedures and requirements of JR-4.22.1.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.
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.

As used in this Subsection (4):

(i) "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.

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.

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.

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) When requested to do so by the sponsor, the chair of the standing committee having possession of the bill, either cochair of an interim committee having possession of the bill, the President of the Utah Senate, or the Speaker of the Utah House of Representatives, the Office of Legislative Research and General Counsel and the Legislative Fiscal Analyst shall:

(a) prepare a Family Impact Statement containing the information required by JR-4.22.2; and

(b) attach that statement to the bill.

[(6)] (7) (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 unless 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.

(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)] (8) (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.
Section 2. JR-4.22.2 is enacted to read:

JR-4.22.2. Family Impact Statement.

(1) As used in this rule:

(a) "Family" means a group of individuals related by blood, marriage, or adoption who live together as a single household.

(b) "Family" includes an individual who is not related to all of the individuals in the group by blood, marriage, or adoption but who:

(i) is related to one member of the group by blood, marriage, or adoption; and

(ii) receives more than one-half of his support from the group in any calendar year.

(2) When requested to do so by the sponsor, the chair of a standing committee having possession of the bill, either cochair of an interim committee having possession of the bill, the President of the Utah Senate, or the Speaker of the Utah House of Representatives, the Office of Legislative Research and General Counsel shall prepare a Family Impact Statement for each bill that answers each of the following questions:

(a) "How does this legislation strengthen the stability of the family and especially the marital commitment?"

(b) "How does this legislation strengthen or erode the authority and rights of parents in their responsibility to educate, nurture, and supervise their children?"

(c) "Does this legislation assist the family to perform its function or does it substitute government activity for the function? How?"

(d) What specific services would this legislation provide to families?"

(3) When requested to do so by the sponsor, the chair of a standing committee having possession of the bill, either cochair of an interim committee having possession of the bill, the President of the Utah Senate, or the Speaker of the Utah House of Representatives, the Legislative Fiscal Analyst shall prepare a Family Impact Statement for each bill that answers each of the following questions:

(a) "By what amount does this bill increase or decrease family earnings for a family of five in Utah making $55,000 per year?"

(b) "By what amount does this bill increase or decrease family earnings for a family of five in Utah making $110,000 per year?"
Section 3. **Effective date.**

This resolution takes effect May 2, 2005, upon approval by a constitutional majority vote of all members of the Senate and House of Representatives.

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**Legislative Review Note**

**as of 11-29-04 12:44 PM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**
State Impact

The Offices of Legislative Fiscal Analyst and Research and General Counsel estimate they can handle requirements of this resolution providing the number of Family Impact Statements are at a minimum. If a large portion of bills require Family Impact Statements a budget increase will be required by both offices.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst