

**JOINT RULES RESOLUTION - FAMILY  
IMPACT STATEMENT ON LEGISLATION**

2005 GENERAL SESSION

STATE OF UTAH

**Sponsor: Craig A. Frank**

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**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**

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

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

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

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

34 (b) A legislator desiring to obtain funding for a project, program, or entity, when that  
35 funding request does not require that a statute be enacted, repealed, or amended, may not file a  
36 Request for Legislation but instead shall comply with the procedures and requirements of  
37 JR-4.22.1.

38 (c) The request shall designate:

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

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

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

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

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

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

48 (B) remove any ambiguities;

49 (C) avoid constitutional or statutory conflicts;

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

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

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

54 (G) eliminate all obsolete and redundant words; and

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

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

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

61 (a) the Chief Clerk or the Secretary; and

62 (b) the Legislative Fiscal Analyst.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

90 (c) This three day deadline may be extended if the Director of the Office of Legislative  
91 Research and General Counsel requests it and states the reasons for the delay.

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

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

98 (b) attach that statement to the bill.

99 [~~6~~] (7) (a) (i) When the Legislative Fiscal Analyst receives the approved bill, that  
100 office has three legislative days to review the bill and provide a fiscal note to the sponsor of the  
101 legislation.

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

105 (iii) The sponsor may:

106 (A) approve the fiscal note;

107 (B) direct an earlier release of the fiscal note for printing;

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

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

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

113 (v) If the Legislative Fiscal Analyst determines the bill has no fiscal impact, it may be  
114 ordered printed immediately after the sponsor has received a copy of the fiscal note, without a  
115 24-hour delay.

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

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

119 [~~7~~] (8) (a) The reports of the Legislative Fiscal Analyst and the Office of Legislative  
120 Research and General Counsel shall be attached to the original copy of the bill.

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

122 Section 2. **JR-4.22.2** is enacted to read:

123 **JR-4.22.2. Family Impact Statement.**

124 (1) As used in this rule:

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

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

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

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

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

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

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

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

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

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

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

150 (b) "By what amount does this bill increase or decrease family earnings for a family of  
151 five in Utah making \$110,000 per year?"

152 Section 3. **Effective date.**

153 This resolution takes effect May 2, 2005, upon approval by a constitutional majority

154 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**

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**Fiscal Note**  
**Bill Number HJR002**

**Joint Rules Resolution - Family Impact Statement on Legislation**

*18-Jan-05*

*11:50 AM*

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**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.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**