1   **STATE BUDGET PROVISIONS**

2   2006 GENERAL SESSION

3   STATE OF UTAH

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23   John Dougall

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25   **LONG TITLE**

26   **General Description:**

27   This bill defines what happens if the Legislature fails to pass, or the governor vetoes,

28   one or more appropriation acts to fund state government and to fund other units of

29   government for the next fiscal year.

30   **Highlighted Provisions:**

31   This bill:

32   ▸   reappropriates the comparable ongoing appropriation for the current fiscal year

33 when the Legislature fails to pass, or the governor vetoes, a bill or act containing an

34 appropriation for the next fiscal year.

35 **Monies Appropriated in this Bill:**

36   None

37 **Other Special Clauses:**

38   This bill provides an immediate effective date.

39 **Utah Code Sections Affected:**

40 ENACTS:

41   **63-38-3.7**, Utah Code Annotated 1953

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

44   Section 1. Section **63-38-3.7** is enacted to read:

45   **63-38-3.7. Comprehensive appropriations acts not enacted -- Effect.**

46   (1) As used in this section:

47   (a) "Comprehensive appropriation acts" means one or more appropriation bills or acts

48 that, taken together, provide all the funding for state government in a fiscal year.

49   (b) "Current fiscal year" means:

50   (i) the fiscal year for which the Legislature has passed one or more comprehensive

51 appropriation acts that appropriate monies to state agencies and other government entities; and

52   (ii) the fiscal year in which those monies are being spent.

53   (c) "Next fiscal year" means the fiscal year beginning the July 1 after the current fiscal

54 year.

55   (d) "Suspended appropriation item" means each appropriation item providing funding

56 for the next fiscal year that does not take effect because the Legislature fails to pass the bill or

57 act in which it is contained or because the governor vetoes the bill or act in which it is

58 contained.

59   (2) For each suspended appropriation item, the comparable appropriation for the

60 current fiscal year that is not designated as one-time is duplicated and becomes the

61 appropriation for the next fiscal year.

62   (3) Subsection (2) does not apply if, as a result of applying this section, the state's

63 appropriations from the General Fund and Uniform School Fund would exceed the total

64   estimated revenue available for those funds during the next fiscal year.

65   Section 2. **Effective date.**

66   If approved by two-thirds of all the members elected to each house, this bill takes effect

67   upon approval by the governor, or the day following the constitutional time limit of Utah

68   Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,

69   the date of veto override.

Legislative Review Note
     as of   1-30-06 9:57 AM

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