

**JOINT RESOLUTION ON FISCAL NOTE**

**PROCESS**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Wayne L. Niederhauser**

House Sponsor: John Dougall

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**LONG TITLE**

**General Description:**

This resolution requires that legislation creating a new program or agency contains a legislative performance review note. If a new state program or agency fails to meet the performance standards contained in its legislative performance review note within a specified period of time, the program or agency is subject to repeal.

**Highlighted Provisions:**

This resolution:

- ▶ requires legislation creating a new program or agency to have a legislative performance review note;
- ▶ requires new programs to meet or exceed the performance measures contained in the legislative performance review note; and
- ▶ requires, that if performance measures are not met within a specified period of time, the program is subject to repeal.

**Special Clauses:**

None

**Legislative Rules Affected:**

ENACTS:

**JR4-2-404**

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

29 Section 1. **JR4-2-404** is enacted to read:

30 **JR4-2-404. Legislative Performance Review Notes.**

31 (1) Legislation that creates or establishes a new program or agency shall contain a  
32 performance review note which shall contain the new program or agency's goals, purposes, and  
33 performance measures.

34 (2) The Legislative Auditor General, subject to Section 36-12-15, shall provide each  
35 new program and agency created with a list of best practices in setting up their program or  
36 agency, including:

37 (a) policies;

38 (b) performance measures; and

39 (c) data collection.

40 (3) Within three years of a new program or agency's creation, the Legislative Auditor  
41 General shall determine whether or not, and if so to what extent, a new program or agency has  
42 met the performance measures contained in the legislative performance review note.

43 (4) In conducting its review, the Legislative Auditor may utilize survey instruments,  
44 request a reporting from the Governor's Office of Planning and Budget, conduct a limited scope  
45 audit, or recommend to the legislative audit subcommittee that the Legislative Auditor conduct  
46 an audit of any new program or agency.

47 (5) Upon a finding by the Legislative Auditor General that a new program or agency is  
48 not fulfilling its statutory guidelines or directives, or has not met its original legislative  
49 performance review note, the new program or agency shall be scheduled for termination under  
50 Section 63I-1-102.

51 (6) It is the purpose of this rule to provide a process to terminate any new program or  
52 agency that is not meeting the stated performance measures established in its legislative  
53 performance review note.

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**Legislative Review Note**  
**as of 3-2-09 10:51 AM**

**Office of Legislative Research and General Counsel**

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**S.J.R. 18 - Joint Resolution on Fiscal Note Process**

**Fiscal Note**

2009 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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