



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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NOTICE OF BILL RETURNED TO RULES COMMITTEE

March 6, 2015

Mr. Speaker:

The Government Operations Committee has returned **H.B. 387**, CITIZENS' CUSTOMER SATISFACTION PROGRAM, by Representative S. Eliason, to the Rules Committee with the following amendments:

1. *Page 16, Line 480 through Page 17, Line 497:*

- 480 public service entity.
481 ~~{(2)(a) "Government entity" means a department, agency, division, office,~~
~~authority,~~
482 ~~library, unit, bureau, program, or other unit of the state.~~
483 ~~(b) "Government entity" includes the judicial branch of the state.~~
484 ~~(c) "Government entity" does not include a political subdivision or an entity of~~
~~a~~
485 ~~political subdivision of the state, a state institution of higher education, a school~~
~~district, a~~
486 ~~public school, or an independent corporation as defined in Section 63E-1-102.}~~
487 ~~{(3) "Office," except as used in Subsection (2)(a).}~~ (2) "Office" means
the Office of the Utah State
488 Auditor.

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489 ~~{(4) "Program," except as used in Subsection (2)(a),}~~ (3)
 "Program" means the Citizens' Customer
490 Satisfaction Program created in Section 67-3-203.
491 ~~{(5)}~~ (4) "Public service entity" means ~~{a government entity:~~
492 ~~—(a) that receives public funds;~~
493 ~~—(b) that expends funds described in Subsection (5)(a); and~~
494 ~~—(c) with which an individual citizen may initiate contact to receive, for the~~
 individual
495 or the individual's immediate family, a statutorily authorized benefit or
 service.} the Department of Alcoholic Beverage Control, created in Section
 32B-2-203, or the Motor Vehicle Division, created in Section 41-1a-106.
496 ~~{(6)}~~ (5) "Interaction" means an individual act under the program to
 covertly observe a
497 public service entity in a manner authorized by this part.

2. Page 17, Line 510 through Page 19, Line 572:

510 (b) identify any public service entity practices that are not in compliance with state
 law,
511 rule, or policy, or generally accepted customer service practices.
512 ~~{(2) Before July 1 of each year, the state auditor shall:~~
513 ~~—(a) create a list of all public service entities in the state; and~~
514 ~~—(b) from the list created under Subsection (2)(a), choose the public service~~
 entities that
515 the auditor believes would benefit most from the program's assessment.}
516 ~~{(3)}~~ (2) (a) Before January 1 of each year, the state auditor shall consult
 with the head of
517 each public service entity ~~{chosen under Subsection (2)(b)}~~ to:
518 (i) identify the services provided by the public service entity that are subject to the
519 program's assessment;
520 (ii) obtain performance measures for the services described in Subsection
 ~~{(3)}~~ (2) (a)(i) that
521 the program will measure, including a scoring system by which the state auditor will rate
 the
522 public service entity's customer service; and



523 (iii) obtain, from the head of the public service entity, goals for the public service
524 entity's customer service, using the performance measures obtained under Subsection
~~{(3)}~~ ~~(2)~~ (a)(ii).

525 (b) If the state auditor cannot obtain performance measures or goals from the head
of a
526 public service entity under Subsection ~~{(3)}~~ ~~(2)~~ (a), the state auditor shall notify
the legislative
527 committee that has oversight over the public service entity.

528 (c) In addition to the performance measures obtained under Subsection
~~{(3)}~~ ~~(2)~~ (a)(ii) for
529 each public service entity, the state auditor shall establish a scoring system by which the
state
530 auditor shall rate the customer service of all public service entities. ~~{chosen under~~
~~Subsection~~
531 ~~(2)(b)}~~ .

532 ~~{(4)}~~ ~~(3)~~ For each calendar year, the state auditor shall, for each public
service entity ~~{chosen~~
533 ~~under Subsection (2)(b) in the previous year}~~ .

534 (a) create a plan, based upon the performance measures obtained in Subsection
~~{(3)}~~ ~~(2)~~ . to
535 covertly observe and evaluate the public service entity's performance;

536 (b) collect detailed data on each interaction conducted under the program, including
the
537 name of each of the public service entity's employees who were contacted during the
538 interaction; and

539 (c) score the public service entity according to the scoring system for each
performance
540 measure established under Subsection ~~{(3)}~~ ~~(2)~~ .

541 ~~{(5)}~~ ~~(4)~~ (a) To complete the duties described in this section, an individual
engaging in an
542 interaction may covertly observe the customer service offered by a public service entity:

543 (i) in person;
544 (ii) by telephone; or
545 (iii) through electronic communication.



546 **(b)** The state auditor may covertly record an interaction.
547 **(c)** The state auditor may not covertly observe or record a direct interaction between
 a
548 public service entity and another person unless that person is associated with the program
 or
549 the Office of the Utah State Auditor.
550 ~~{(6)}~~ **(5)** The state auditor may pay a stipend to a person that:
551 (a) performs an interaction for the program; and
552 (b) is not otherwise associated with the program.
553 Section 14. Section **67-3-205** is enacted to read:
554 67-3-205. Reporting and tracking results -- Online database.
555 (1) The state auditor shall, for each public service entity the program interacts with
556 under Subsection ~~{67-3-103(4)}~~ **67-3-204(3)**, prepare a detailed report each
 month that contains:
557 (a) the name of the public service entity;
558 (b) the performance measures and goals obtained under Subsection
 67-3-204 ~~{(3)}~~ **(2)** for the
559 public service entity;
560 (c) a summary of the plan created under Subsection 67-3-204 ~~{(4)}~~ **(3)** (a)
 for the entity;
561 (d) a description of the program's efforts to execute the plan described in Subsection
562 67-3-204 ~~{(4)}~~ **(3)** (a);
563 (e) a compilation, analysis, and interpretation of the data collected under Subsection
564 67-3-204 ~~{(4)}~~ **(3)** (c) and the scores recorded under Subsection
 67-3-204 ~~{(4)}~~ **(3)** (d);
565 (f) an assessment of how the public service entity's performance relates to the
566 performance measures and goals obtained under Subsection 67-3-204 ~~{(3)}~~ **(2)**
 for the entity;
567 (g) a description of each interaction, including:
568 (i) the name of each of the entity's employees who were contacted during the
569 interaction; and
570 (ii) the scores recorded under Subsection 67-3-204 ~~{(4)}~~ **(3)** (d) for the
 interaction;
571 (h) an explanation of any observed patterns of the **public service** entity's



practices that do not appear
572 to be in compliance with state law, rule, or policy or with generally accepted customer
service

3. *Page 20, Lines 591 through 601:*

591 (1) Upon receipt of a report under Subsection 67-3-205(2), the head of the public
592 service entity shall:
593 (a) identify each employee described in Subsection
{~~67-3-206~~} ~~67-3-205~~ (1)(g)(i); and
594 (b) place a copy of the portions of the report that pertain to the employee in the
595 employee's personnel file.
596 (2) (a) The head of a public service entity {~~chosen under Subsection~~
67-3-204(2)(b)} may
597 establish a pecuniary incentive to award to an employee of the entity:
598 (i) who has an interaction under the program; and
599 (ii) whose performance, as measured under the program, meets or exceeds the goals
600 obtained under Subsection 67-3-204 {~~(3)}~~ ~~(2)~~ (a)(iii) for the entity.
601 (b) The head of a public service entity that establishes a pecuniary incentive under

Respectfully,

Jack R. Draxler
Committee Chair

Voting: 8-0-2

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