

- 88 (i) a county;
- 89 (ii) a city;
- 90 (iii) a town;
- 91 (iv) a metro township;
- 92 (v) a local district governed by Title 17B, Limited Purpose Local Government Entities
- 93 - Local Districts;
- 94 (vi) a special service district governed by Title 17D, Chapter 1, Special Service District
- 95 Act;
- 96 (vii) an interlocal entity or a joint or cooperative undertaking, governed by Title 11,
- 97 Chapter 13, Interlocal Cooperation Act;
- 98 (viii) a community reinvestment agency governed by Title 17C, Limited Purpose Local
- 99 Government Entities - Community Reinvestment Agency Act;
- 100 (ix) a local building authority governed by Title 17D, Chapter 2, Local Building
- 101 Authority Act;
- 102 (x) a conservation district governed by Title 17D, Chapter 3, Conservation District
- 103 Act;
- 104 (xi) a school district;
- 105 (xii) a local school board;
- 106 (xiii) a public school; ~~H → [H → and ← H] ← H~~
- 107 (xiv) any other political subdivision of the state or an organization within a political
- 108 subdivision of the state ~~H → [; and~~
- 109 ~~(xv) an employee of an entity described in Subsections (2)(a)(i) through (xiv) when~~
- 110 ~~acting as an employee of that entity] [; ] ;~~
- 110a (xv) a charter school governing board; and
- 110b (xvi) a charter school. ← H
- 111 (b) "Local governmental entity" does not include:
- 112 (i) the Legislature or an entity within the legislative branch of state government;
- 113 (ii) the judicial branch of state government or an entity within the judicial branch of
- 114 state government; or
- 115 (iii) a justice court.
- 116 (3) (a) "State governmental entity" means the following, or any of the following
- 117 department, division, office, institution, bureau, governing board, or committee:
- 118 (i) an agency, department, division, office, institution, bureau, or any other division of

119 the executive branch of state government;

120 (ii) an executive branch board, commission, task force, committee, or council;

121 (iii) an independent entity, as that term is defined in Section 63E-1-102;

122 (iv) a public corporation;

123 (v) the State Board of Education;

124 (vi) the State Charter School Board;

125 ~~H→ (vii) a charter school governing board;~~

126 ~~—— (viii) a charter school;~~

127 ~~—— (ix) (vii) ←H~~ an association, as that term is defined in Section 53A-1-1601;

128 ~~H→ (x) (viii) ←H~~ an association governed by Title 53G, Chapter 4, Part 5, Utah School

128a Boards

129 Association:

130 ~~H→ (xi) (ix) ←H~~ the Utah Schools for the Deaf and the Blind;

131 ~~H→ (xii) (x) ←H~~ the State Board of Regents;

132 ~~H→ (xiii) (xi) ←H~~ the Utah System of Technical Colleges Board of Trustees;

133 ~~H→ (xiv) (xii) ←H~~ an institution within the state system of higher education described in

133a Section

134 53B-1-102; and

135 ~~H→ (xv) (xiii) ←H~~ an employee of an entity described in Subsections (3)(a)(i) through

135a ~~H→ (xiv) (xii) ←H~~ when

136 acting as an employee of that entity.

137 (b) "State governmental entity" does not include:

138 (i) the Legislature or an entity within the legislative branch of state government;

138a ~~H→ [or] ←H~~

139 (ii) the judicial branch of state government or an entity within the judicial branch of

140 state government ~~H→ [;] ; or~~

140a (iii) a taxed interlocal entity, as that term is defined in Section 11-13-602. ~~←H~~

141 Section 4. Section **36-31-103** is enacted to read:

142 **36-31-103. Creation of Joint Committee on Governmental Oversight.**

143 (1) There is created the Joint Committee on Governmental Oversight composed of the  
144 following nine members:

145 (a) six members of the House of Representatives, appointed by the speaker of the  
146 House, not more than four of whom may be from the same political party; and

147 (b) three members of the Senate, appointed by the president of the Senate, not more  
148 than two of whom may be from the same political party.

149 (2) The speaker of the House and president of the Senate shall each select a member of

181 **36-31-105. Purpose and powers.**

182 (1) Subject to Section 36-31-104, the committee shall increase the transparency,  
 183 efficiency, effectiveness, and accountability of state governmental entities and local  
 184 governmental entities by:

185 (a) investigating waste, fraud, misconduct, or abuse by a state governmental entity;

186 (b) investigating, in relation to the use of state legislative approved funding, the  
 187 accounting, expenditure, and handling of a state governmental entity's funds;

188 (c) studying a state governmental entity's application, administration, or execution of a  
 189 law that the Legislature passes;

190 (d) investigating whether a state governmental entity complies with an applicable state  
 191 law or administrative rule;

192 (e) investigating whether a state governmental entity creates and implements an  
 193 administrative rule in accordance with law;

194 (f) investigating an action that a state governmental entity takes in response to state law  
 195 or administrative rule to determine whether the action is in accordance with state law or  
 196 administrative rule; or

197 (g) within the stewardship and authority granted to the Legislature by the Utah  
 198 Constitution and state law, ~~H→~~ [and] ~~←H~~ in coordination with appropriate standing and interim

199 committees of the Legislature, ~~H→~~ and upon request of a local governmental entity, ~~←H~~

199a examining an action of ~~H→~~ [a] the ~~←H~~ local governmental entity in relation to  
 200 the local governmental entity's:

201 (i) use of legislatively approved funding; or

202 (ii) application of a law passed or rule authorized by the Legislature.

203 (2) Subject to Section 36-31-104, the committee may, in relation to a duty described in  
 204 Subsection (1):

205 (a) meet as necessary to accomplish the committee's purpose;

206 (b) perform an audit, subject to the prioritization of the Legislative Audit

207 Subcommittee, and take an action described in Subsection (4) in relation to the audit;

208 (c) perform an investigation or study;

209 (d) recommend that a person that is the subject of the committee's investigation or  
 210 study take an action that the committee specifies;

211 (e) in accordance with Title 36, Chapter 14, Legislative Subpoena Powers:

429 (i) of the concurrent resolution approving the proposed rule; or

430 (ii) established in the proposed rule; or

431 (b) if the head of the agency complies with the requirements described in Subsection  
 432 (14)(b)(ii), on the effective date established in the proposed rule.

433 (16) If a rule takes effect without the Legislature's and governor's approval under  
 434 Subsection (14)(b)(ii), the rule is repealed one year after the day on which the rule takes effect  
 435 unless, within one year after the day on which the rule takes effect:

436 (a) the Legislature, through a concurrent resolution and without amendment, approves  
 437 the rule; and

438 (b) the governor signs the concurrent resolution.

439 ~~[(13)]~~ (17) (a) As used in this Subsection [(13)] (17), "initiate rulemaking proceedings"  
 440 means the filing, for the purposes of publication in accordance with Subsection (4), of an  
 441 agency's proposed rule that is required by state statute.

442 (b) A state agency shall initiate rulemaking proceedings no later than 180 days after the  
 443 effective date of the statutory provision that specifically requires the rulemaking, except under  
 444 Subsection [(13)] (17)(c).

445 (c) When a statute is enacted that requires agency rulemaking and the affected agency  
 446 already has rules in place that meet the statutory requirement, the agency shall submit the rules  
 447 to the Administrative Rules Review Committee for review within 60 days after the statute  
 448 requiring the rulemaking takes effect.

449 (d) If a state agency does not initiate rulemaking proceedings in accordance with the  
 450 time requirements in Subsection [(13)] (17)(b), the state agency shall appear before the  
 451 legislative Administrative Rules Review Committee and provide the reasons for the delay.

452 Section 9. Section **63G-3-503** is enacted to read:

### 453 **Part 5. Oversight**

454 **63G-3-503. Repeal of rule referred by oversight committee.**

455 (1) (a) If the Joint Committee on Governmental Oversight recommends the repeal of an  
 456 administrative rule under Subsection 36-31-105(2)(g), the governor may direct ~~H→~~ **or recommend,**  
 456a **depending on the governor's authority over the agency, that the agency that made the rule [an**  
 456b **agency to] ←H**

457 repeal the ~~H→~~ [administrative] ←H rule in accordance with this section.

458 (b) Nothing in this section prohibits the governor from independently recommending  
 459 that an agency repeal an administrative rule.