

LEGISLATIVE CAPACITY STUDY

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ken Ivory

Senate Sponsor: _____

LONG TITLE

General Description:

This bill requires the Legislature to conduct a study on legislative capacity and the duties and responsibilities of state legislators.

Highlighted Provisions:

This bill:

- ▶ requires a request for proposals to conduct a study to assess the workload, duties, and responsibilities of state legislators and the capacity of an individual legislator to fulfill those responsibilities currently and projected into the future;
- ▶ provides that the Legislative Management Committee shall issue the request for proposals for conducting the study;
- ▶ establishes criteria and requirements for the study;
- ▶ establishes criteria and requirements for the request for proposals and qualifications for a person seeking to conduct the study; and
- ▶ requires the conclusions of the study to be presented to the Legislative Management Committee.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2019:

- ▶ to the Legislature - Legislative Services, as a one-time appropriation:
 - from the General Fund, One-time \$20,000.

Other Special Clauses:



28 This bill provides a special effective date.

29 **Utah Code Sections Affected:**

30 ENACTS:

31 **36-32-101**, Utah Code Annotated 1953

32 **36-32-103**, Utah Code Annotated 1953



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

35 Section 1. Section **36-32-101** is enacted to read:

36 **CHAPTER 32. LEGISLATIVE CAPACITY STUDY**

37 **36-32-101. Title.**

38 This chapter is known as "Legislative Capacity Study."

39 Section 2. Section **36-32-103** is enacted to read:

40 **36-32-103. Legislative Capacity Study -- Requirements -- Reporting -- Funding.**

41 (1) (a) The Legislature shall conduct a study to assess the workload, duties, and
42 responsibilities of state legislators and the capacity of an individual legislator to fulfill those
43 responsibilities currently and projected into the future, assuming continued increase in the
44 population of the state, which study shall include:

45 (i) a determination of the optimal number of bills, or the optimal range of number of
46 bills, that an average legislator has the capacity and resources to successfully introduce and
47 manage during an annual general session of the Legislature;

48 (ii) an analysis of Utah Constitution, Article I, Section 27, which section states
49 "Frequent recurrence to fundamental principles is essential to the security of individual rights
50 and the perpetuity of free government," and any other applicable provisions of the Utah
51 Constitution, that relates the constitutional role, duties, and responsibilities of legislators;

52 (iii) findings and recommendations on what the fundamental role of a state legislator is
53 and should be in the future based upon constitutional principles and the assumption of
54 increased population growth in the future;

55 (iv) recommendations for changes or adjustments to the roles, duties, and
56 responsibilities of legislators based upon the findings of the study, and recommendations on
57 what changes have the highest priority for implementation; and

58 (v) any other requirements or findings approved by the Legislative Management

59 Committee.

60 (b) The study shall set forth, in detail, the methods and data used to arrive at the
61 findings described in Subsection (1)(a).

62 (2) (a) The Legislative Management Committee shall, in accordance with the
63 requirements of Title 63G, Chapter 6a, Utah Procurement Code, issue a request for proposals
64 to award a contract to a person to conduct the study authorized under this section.

65 (b) The person conducting the study shall:

66 (i) have experience in conducting performance analysis or time and motion studies;

67 (ii) survey legislators and legislative staff responsible for bill drafting in order to obtain
68 data and information on which to base the findings of the study and to understand bill drafting
69 procedures and requirements;

70 (iii) have the means and ability to obtain the information set forth in Section (3);

71 (iv) have experience in the analysis of constitutional law; and

72 (v) meet any other standards or requirements established by the Legislative
73 Management Committee in the request for proposals.

74 (3) In reaching the determinations required under Subsection (1)(a), the person
75 conducting the study shall collect and analyze information relating to the legislative process
76 and the constitutional role of the Legislature, including current, past, and projected information
77 on:

78 (a) the number of bills passed during each annual general legislative session;

79 (b) the number of constituents represented by an individual state representative and
80 senator;

81 (c) the number of lobbyists involved in the legislative process;

82 (d) the size of the state budget;

83 (e) the annual executive branch budget, legislative branch budget, and judicial branch
84 budget;

85 (f) the staff size of the executive branch, the legislative branch, and the judicial branch;

86 and

87 (g) any other information relevant to reaching the determinations required under
88 Subsection (1)(a).

89 (4) The person conducting the study shall:

- 90 (a) complete the study no later than November 1, 2019;
- 91 (b) present the findings of the study to the Legislative Management Committee no later
- 92 than November 30, 2019; and
- 93 (c) provide to the committee written findings and a written analysis of the methods and
- 94 data used in the survey as part of their verbal presentation.
- 95 (5) The total cost of conducting and presenting the study shall not exceed \$20,000.

Section 3. **Appropriation.**

97 The following sums of money are appropriated for the fiscal year beginning July 1,

98 2018, and ending June 30, 2019. These are additions to amounts previously appropriated for

99 fiscal year 2019. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures

100 Act, the Legislature appropriates the following sums of money from the funds or accounts

101 indicated for the use and support of the government of the state of Utah.

ITEM 1

To Legislature - Legislative Services

<u>From General Fund, One-time</u>	<u>\$20,000</u>
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Schedule of Programs:

<u>Administration</u>	<u>\$20,000</u>
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107 The Legislature intends that the amount provided by this item be used to conduct and

108 present the study and opinion authorized under Title 36, Chapter 32, Legislative Capacity

109 Study.

Section 4. **Effective date.**

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

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

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

114 the date of veto override.