

Representative Ken Ivory proposes the following substitute bill:

FEDERALISM COMMISSION AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ken Ivory

Senate Sponsor: Kirk A. Cullimore

LONG TITLE

General Description:

This bill amends provisions related to the Federalism Commission.

Highlighted Provisions:

This bill:

▶ amends provisions related to the Federalism Commission's role in reviewing federal laws for compliance with the principles of federalism;

▶ allows the Federalism Commission to contract with a third party ~~§~~→ that is a Utah institution of higher education ←~~§~~ to evaluate federal

laws for compliance with the principles of federalism;

▶ allows the Federalism Commission to analyze and provide recommendations on federal laws and programs; and

▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63C-4a-303, as last amended by Laws of Utah 2019, Chapter 246



26 **63C-4a-304**, as renumbered and amended by Laws of Utah 2013, Chapter 101

27

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

29 Section 1. Section **63C-4a-303** is amended to read:

30 **63C-4a-303. Federalism Commission to evaluate federal law -- Curriculum on**
31 **federalism.**

32 (1) (a) In accordance with Section **63C-4a-304**, the commission may evaluate a federal
33 law:

34 [~~(a)~~] (i) as agreed by a majority of the commission; [~~or~~]

35 [~~(b)~~] (ii) submitted to the commission by a council member[-]; or

36 (iii) reported to the commission in accordance with Subsection (1)(b).

37 (b) (i) To assist the commission in the evaluation of federal law as required in this

38 section and Section **63C-4a-304**, the commission may contract with a third party ~~§~~→ **that is a Utah**

38a **institution of higher education** ←~~§~~ to monitor

39 federal law for possible implications on the principles of federalism.

40 (ii) A third party contracted to monitor federal law as described in Subsection (1)(b)(i)

41 shall:

42 (A) monitor federal law for possible implications on the principles of federalism and
43 state sovereignty; and

44 (B) report to the commission any law or action by the federal government that may
45 implicate the principles of federalism or state sovereignty.

46 (2) The commission may request information regarding a federal law under evaluation
47 from a United States senator or representative elected from the state.

48 (3) If the commission finds that a federal law is not authorized by the United States
49 Constitution or violates the principle of federalism as described in Subsection **63C-4a-304**(2), a
50 commission cochair or the commission may:

51 (a) request from a United States senator or representative elected from the state:

52 (i) information about the federal law; or

53 (ii) assistance in communicating with a federal governmental entity regarding the
54 federal law;

55 (b) (i) give written notice of an evaluation made under Subsection (1) to the federal
56 governmental entity responsible for adopting or administering the federal law; and