

**GOVERNMENTAL ENTITY BUDGET TRANSPARENCY**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Nelson T. Abbott**

Senate Sponsor: Keith Grover

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**LONG TITLE**

**General Description:**

This bill requires certain government entities to disclose certain information relating to the government entities' budgets.

**Highlighted Provisions:**

This bill:

- ▶ requires certain state and local government entities to disclose certain information relating to the government entities' budgets; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

**10-5-107**, as last amended by Laws of Utah 2017, Chapters 71, 193

**10-6-111**, as last amended by Laws of Utah 2016, Chapter 353

**17-36-10**, as last amended by Laws of Utah 2022, Chapter 288

**63J-1-201**, as last amended by Laws of Utah 2021, Chapters 382, 421

**78A-2-104**, as last amended by Laws of Utah 2021, Chapter 262

**78A-2-107**, as last amended by Laws of Utah 2018, Chapters 25, 200



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

Section 1. Section **10-5-107** is amended to read:

**10-5-107. Tentative budgets required for public inspection -- Contents --**

**Adoption of tentative budget.**

(1) (a) On or before the first regularly scheduled town council meeting of May, the mayor shall:

(i) in accordance with Subsection (1)(b), prepare for the ensuing year a tentative budget for each fund for which a budget is required;

(ii) make the tentative budget available for public inspection; and

(iii) submit the tentative budget to the town council.

(b) The tentative budget for each fund shall [~~set forth~~] list in tabular form:

(i) actual revenues and expenditures in the last completed fiscal year;

(ii) estimated total revenues and expenditures for the current fiscal year; and

(iii) the mayor's estimates of revenues and expenditures for the budget year.

(c) The mayor shall include in the tentative budget the following information for each fund for which a budget is required:

(i) the total budget amount for the current fiscal year, ending June 30;

(ii) the total tentative budget amount for the upcoming fiscal year, beginning July 1;

and

(iii) the percentage difference between the amount described in Subsection (1)(c)(i) and the amount described in Subsection (1)(c)(ii).

(d) The mayor shall include in the tentative budget the percentage difference between:

(i) the most recent population estimate for the town published by the United States Census Bureau; and

(ii) the population estimate for the town, published by the United States Census Bureau, applicable at the time that the final budget was adopted for the fiscal year immediately preceding the fiscal year to which the tentative budget relates.

(2) (a) The mayor shall:

(i) estimate the amount of revenue available to serve the needs of each fund;

(ii) estimate the portion to be derived from all sources other than general property

59 taxes; and

60 (iii) estimate the portion that shall be derived from general property taxes.

61 (b) From the estimates required by Subsection (2)(a), the mayor shall compute and  
62 disclose in the budget the lowest rate of property tax levy that will raise the required amount of  
63 revenue, calculating the levy on the latest taxable value.

64 (3) (a) Before the public hearing required under Section 10-5-108, the town council:

65 (i) shall review, consider, and tentatively adopt the tentative budget in any regular  
66 meeting or special meeting called for that purpose; and

67 (ii) may amend or revise the tentative budget.

68 (b) At the meeting at which the town council adopts the tentative budget, the council  
69 shall establish the time and place of the public hearing required under Section 10-5-108.

70 Section 2. Section 10-6-111 is amended to read:

71 **10-6-111. Tentative budget to be prepared -- Contents -- Estimate of expenditures**  
72 **-- Budget message -- Review by governing body.**

73 (1) ~~[(a)]~~ On or before the first regularly scheduled meeting of the governing body in the  
74 last May of the current period, the budget officer shall, in accordance with Subsection ~~[(1)(b)]~~  
75 (2), prepare for the ensuing fiscal period, and file with the governing body, a tentative budget  
76 for each fund for which a budget is required.

77 ~~[(b)]~~ (2) The tentative budget of each fund shall ~~[set forth]~~ list in tabular form:

78 ~~[(i)]~~ (a) the actual revenues and expenditures in the last completed fiscal period;

79 ~~[(ii)]~~ (b) the estimated total revenues and expenditures for the current fiscal period;

80 ~~[(iii)]~~ (c) the budget officer's estimates of revenues and expenditures for the budget  
81 period, computed as provided in Subsection ~~[(1)(c)]~~ (3)(a); and

82 ~~[(iv)]~~ (d) if the governing body elects, the actual performance experience to the extent  
83 established by Section 10-6-154 and available in work units, unit costs, man hours, or man  
84 years for each budgeted fund on an actual basis for the last completed fiscal period, and  
85 estimated for the current fiscal period and for the ensuing budget period.

86 ~~[(e)]~~ (3) ~~[(i)]~~ (a) In making estimates of revenues and expenditures under Subsection  
87 ~~[(1)(b)(iii)]~~ (2)(c), the budget officer shall estimate:

88 ~~[(A)]~~ (i) on the basis of demonstrated need, the expenditures for the budget period,  
89 after:

90 ~~[(F)]~~ (A) hearing each department head; and  
91 ~~[(H)]~~ (B) reviewing the budget requests and estimates of the department heads; and  
92 ~~[(B)]~~ (ii) ~~[(F)]~~ (A) the amount of revenue available to serve the needs of each fund;  
93 ~~[(H)]~~ (B) the portion of revenue to be derived from all sources other than general  
94 property taxes; and  
95 ~~[(H)]~~ (C) the portion of revenue that shall be derived from general property taxes.

96 ~~[(i)]~~ (b) The budget officer may revise any department's estimate under Subsection  
97 ~~[(1)(c)(i)(A)(H)]~~ (3)(a)(i)(B) that the officer considers advisable for the purpose of presenting  
98 the budget to the governing body.

99 ~~[(iii)]~~ (c) From the estimate made under Subsection ~~[(1)(c)(i)(B)(H)]~~ (3)(a)(ii)(C), the  
100 budget officer shall compute and disclose in the budget the lowest rate of property tax levy that  
101 will raise the required amount of revenue, calculating the levy upon the latest taxable value.

102 (4) The budget officer shall include in the tentative budget the following information  
103 for each fund for which a budget is required:

104 (a) the total budget amount for the current fiscal period ending June 30;

105 (b) the total tentative budget amount for the upcoming fiscal period, beginning July 1;

106 and

107 (c) the percentage difference between the amount described in Subsection (4)(a) and  
108 the amount described in Subsection (4)(b).

109 (5) The budget officer shall include in the tentative budget the percentage difference  
110 between:

111 (a) the most recent population estimate for the city published by the United States  
112 Census Bureau; and

113 (b) the population estimate for the city, published by the United States Census Bureau,  
114 applicable at the time that the final budget was adopted for the fiscal period immediately  
115 preceding the fiscal period to which the tentative budget relates.

116 ~~[(2)]~~ (6) (a) (i) Each tentative budget, when filed by the budget officer with the  
117 governing body, shall contain the estimates of expenditures submitted by department heads,  
118 together with specific work programs and such other supporting data as this chapter requires or  
119 the governing body may request.

120 (ii) Each city of the first or second class shall, and a city of the third, fourth, or fifth

121 class may, submit a supplementary estimate of all capital projects which each department head  
122 believes should be undertaken within the next three succeeding years.

123 (b) Each tentative budget submitted by the budget officer to the governing body shall  
124 be accompanied by a budget message that:

125 (i) explains the budget;

126 (ii) contains an outline of the proposed financial policies of the city for the budget  
127 period;

128 (iii) describes the important features of the budgetary plan;

129 (iv) provides the reasons for salient changes from the previous fiscal period in  
130 appropriation and revenue items; and

131 (v) explains any major changes in financial policy.

132 [~~(3)~~] (7) (a) Subject to Subsection [~~(3)(b)~~] (7)(b), a governing body in any regular  
133 public hearing or special public hearing:

134 (i) shall review, consider, and tentatively adopt each tentative budget; and

135 (ii) may, before the public hearing described in Section 10-6-114, amend or revise each  
136 tentative budget.

137 (b) A governing body may not reduce an appropriation required for debt retirement and  
138 interest or reduction of any existing deficits in accordance with Section 10-6-117, or otherwise  
139 required by law or ordinance, below the required minimums.

140 [~~(4)~~] (8) (a) If the municipality is acting in accordance with Section 10-2a-218, the  
141 tentative budget shall:

142 (i) be submitted to the governing body-elect as soon as practicable; and

143 (ii) cover each fund for which a budget is required from the date of incorporation to the  
144 end of the fiscal year.

145 (b) The governing body shall substantially comply with all other provisions of this  
146 chapter, and the budget shall be passed upon incorporation.

147 Section 3. Section 17-36-10 is amended to read:

148 **17-36-10. Preparation of tentative budget.**

149 (1) (a) On or before the first day of the next to last month of every fiscal period, the  
150 finance officer shall prepare for the next budget period and file with the governing body a  
151 tentative budget for each fund for which a budget is required.

152 (b) During the preparation of a tentative budget described in Subsection (1)(a), the  
153 following may participate in the creation of the tentative budget:

154 (i) for a county commission or expanded county commission form of county  
155 government, the county commission;

156 (ii) for a county executive-council form of county government, the county council and  
157 the county executive; and

158 (iii) for a council-manager form of county government, the county council and the  
159 county manager.

160 (2) (a) A department for which county funds are appropriated shall file with the finance  
161 officer not less than three months before the commencement of each fiscal year on forms  
162 furnished by the finance officer a detailed estimate and statement of the revenue and necessary  
163 expenditures of the department for the next budget year.

164 (b) The estimate and statement described in Subsection (2)(a) shall ~~set forth~~ list:

165 (i) the number of persons to be regularly employed;

166 (ii) the kinds of service the department will perform;

167 (iii) the salaries and wages the department expects to pay;

168 (iv) the kind of work the department will perform and the improvements the  
169 department expects to make; and

170 (v) the estimated cost of the service, work, and improvements.

171 (c) The finance officer shall make the estimate and statement described in Subsection  
172 (2)(a) available to:

173 (i) for a county commission or expanded county commission form of county  
174 government, the county commission;

175 (ii) for a county executive-council form of county government, the county council and  
176 the county executive; and

177 (iii) for a council-manager form of county government, the county council and the  
178 county manager.

179 (d) The statement shall also record performance data expressed in work units, unit  
180 costs, man hours, and man years sufficient in detail, content, and scope to permit the finance  
181 officer to prepare and process the county budget.

182 (3) In the preparation of the budget, the finance officer and all other county officers are

183 subject to Sections 17-36-1 through 17-36-44 and to the uniform system of budgeting,  
184 accounting, and reporting established therein.

185 (4) In the tentative budget, the finance officer shall [~~set forth~~] list in tabular form:

186 (a) actual revenues and expenditures in the last completed fiscal period;

187 (b) estimated total revenues and expenditures for the current fiscal period;

188 (c) the estimated available revenues and expenditures for the ensuing budget period  
189 computed by determining:

190 (i) the estimated expenditure for each fund after review of each departmental budget  
191 request; and

192 (ii) the total revenue requirements of the fund, including:

193 (A) the part of the total revenue that will be derived from revenue sources other than  
194 property tax; and

195 (B) the part of the total revenue that will be derived from property taxes; and

196 (d) if required by the governing body, actual performance experience to the extent  
197 available in work units, unit costs, man hours, and man years for each budgeted fund that  
198 includes an appropriation for salaries or wages for the last completed fiscal period and the first  
199 eight months of the current fiscal period if the county is on an annual fiscal period, or the first  
200 20 months of the current fiscal period if the county is on a biennial fiscal period, together with  
201 the total estimated performance data of like character for the current fiscal period and for the  
202 ensuing budget period.

203 (5) The finance officer may recommend modification of any departmental budget  
204 request under Subsection (4)(c)(i) before the budget request is filed with the governing body, if  
205 each department head has been given an opportunity to be heard concerning the modification.

206 (6) (a) A tentative budget shall contain the estimates of expenditures submitted by any  
207 department together with specific work programs and other supportive data as the governing  
208 body requests.

209 (b) The finance officer shall include with the tentative budget a supplementary estimate  
210 of all capital projects or planned capital projects within the budget period and within the next  
211 three succeeding years.

212 (7) The finance officer shall include in the tentative budget the following information  
213 for each fund for which a budget is required:

214 (a) the total budget amount for the current fiscal period ending December 31;  
215 (b) the total tentative budget amount for the upcoming fiscal period, beginning January  
216 1; and

217 (c) the percentage difference between the amount described in Subsection (7)(a) and  
218 the amount described in Subsection (7)(b).

219 (8) The finance officer shall include in the tentative budget the percentage difference  
220 between:

221 (a) the most recent population estimate for the county published by the United States  
222 Census Bureau; and

223 (b) the population estimate for the county, published by the United States Census  
224 Bureau, applicable at the time that the final budget was adopted for the fiscal period  
225 immediately preceding the fiscal period to which the tentative budget relates.

226 ~~[(7)]~~ (9) (a) A finance officer that submits a tentative budget in a county with a  
227 population of more than 25,000 shall include with the tentative budget a budget message in  
228 explanation of the budget.

229 (b) The budget message shall:

230 (i) include an outline of the proposed financial policies of the county for the budget  
231 period;

232 (ii) describe the important features of the budgetary plan;

233 (iii) state the reasons for changes from the previous fiscal period in appropriation and  
234 revenue items; and

235 (iv) explain any major changes in financial policy.

236 (c) A finance officer of a county with a population of less than 25,000 may prepare a  
237 budget message in explanation of the tentative budget.

238 ~~[(8)]~~ (10) (a) The governing body shall review, consider, and adopt a tentative budget  
239 in a regular or special meeting called for that purpose.

240 (b) (i) Subject to Subsection ~~[(8)(b)(ii)]~~ (10)(b)(ii), the governing body may thereafter  
241 amend or revise the tentative budget prior to public hearings on the tentative budget.

242 (ii) A governing body may not:

243 (A) reduce below the required minimum an appropriation required for debt retirement  
244 and interest; or



245 (B) reduce, in accordance with Section 17-36-17, an existing deficit.

246 Section 4. Section 63J-1-201 is amended to read:

247 **63J-1-201. Governor's proposed budget to Legislature -- Contents -- Preparation**  
248 **-- Appropriations based on current tax laws and not to exceed estimated revenues.**

249 (1) The governor shall deliver, not later than 30 days before the date the Legislature  
250 convenes in the annual general session, a confidential draft copy of the governor's proposed  
251 budget recommendations to the Office of the Legislative Fiscal Analyst according to the  
252 requirements of this section.

253 (2) (a) When submitting a proposed budget, the governor shall, within the first three  
254 days of the annual general session of the Legislature, submit to the presiding officer of each  
255 house of the Legislature:

256 (i) a proposed budget for the ensuing fiscal year;

257 (ii) a schedule for all of the proposed changes to appropriations in the proposed budget,  
258 with each change clearly itemized and classified; and

259 (iii) as applicable, a document showing proposed changes in estimated revenues that  
260 are based on changes in state tax laws or rates.

261 (b) The proposed budget shall include:

262 (i) a projection of:

263 (A) estimated revenues by major tax type;

264 (B) 15-year trends for each major tax type;

265 (C) estimated receipts of federal funds;

266 (D) 15-year trends for federal fund receipts; and

267 (E) appropriations for the next fiscal year;

268 (ii) the source of changes to all direct, indirect, and in-kind matching funds for all  
269 federal grants or assistance programs included in the budget;

270 (iii) changes to debt service;

271 (iv) a plan of proposed changes to appropriations and estimated revenues for the next  
272 fiscal year that is based upon the current fiscal year state tax laws and rates and considers

273 projected changes in federal grants or assistance programs included in the budget;

274 (v) an itemized estimate of the proposed changes to appropriations for:

275 (A) the legislative department as certified to the governor by the president of the

276 Senate and the speaker of the House;

277 (B) the executive department;

278 (C) the judicial department as certified to the governor by the state court administrator;

279 (D) changes to salaries payable by the state under the Utah Constitution or under law

280 for lease agreements planned for the next fiscal year; and

281 (E) all other changes to ongoing or one-time appropriations, including dedicated

282 credits, restricted funds, nonlapsing balances, grants, and federal funds;

283 (vi) for each line item, the average annual dollar amount of staff funding associated

284 with all positions that were vacant during the last fiscal year;

285 (vii) deficits or anticipated deficits;

286 (viii) the recommendations for each state agency for new full-time employees for the

287 next fiscal year, which shall also be provided to the director of the Division of Facilities

288 Construction and Management as required by Subsection 63A-5b-501(3);

289 (ix) a written description and itemized report submitted by a state agency to the

290 Governor's Office of Planning and Budget under Section 63J-1-220, including:

291 (A) a written description and an itemized report provided at least annually detailing the

292 expenditure of the state money, or the intended expenditure of any state money that has not

293 been spent; and

294 (B) a final written itemized report when all the state money is spent;

295 (x) any explanation that the governor may desire to make as to the important features

296 of the budget and any suggestion as to methods for the reduction of expenditures or increase of

297 the state's revenue; [~~and~~]

298 (xi) information detailing certain fee increases as required by Section 63J-1-504[:]; and

299 (xii) for each agency:

300 (A) the total budget amount for the current fiscal year ending June 30;

301 (B) the total proposed budget amount for the upcoming fiscal year, beginning July 1;

302 and

303 (C) the percentage difference between the amount described in Subsection

304 (2)(b)(xii)(A) and the amount described in Subsection (2)(b)(xii)(B).

305 (c) The governor shall include in the proposed budget the percentage difference

306 between:

307           (i) the most recent population estimate for the state published by the Utah Population  
308 Committee; and

309           (ii) the population estimate for the state, published by the Utah Population Committee,  
310 applicable at the time that the final budget was adopted for the fiscal year immediately  
311 preceding the fiscal year to which the proposed budget relates.

312           (3) (a) Except as provided in Subsection (3)(b), for the purpose of preparing and  
313 reporting the proposed budget, the governor:

314           (i) shall require the proper state officials, including all public and higher education  
315 officials, all heads of executive and administrative departments and state institutions, bureaus,  
316 boards, commissions, and agencies expending or supervising the expenditure of the state  
317 money, and all institutions applying for state money and appropriations, to provide itemized  
318 estimates of changes in revenues and appropriations;

319           (ii) may require the persons and entities subject to Subsection (3)(a)(i) to provide other  
320 information under these guidelines and at times as the governor may direct, which may include  
321 a requirement for program productivity and performance measures, where appropriate, with  
322 emphasis on outcome indicators; and

323           (iii) may require representatives of public and higher education, state departments and  
324 institutions, and other institutions or individuals applying for state appropriations to attend  
325 budget meetings.

326           (b) Subsections (3)(a)(ii) and (iii) do not apply to the judicial department or the  
327 legislative department.

328           (4) (a) The Governor's Office of Planning and Budget shall provide to the Office of the  
329 Legislative Fiscal Analyst, as soon as practicable, but no later than 30 days before the day on  
330 which the Legislature convenes in the annual general session, data, analysis, or requests used in  
331 preparing the governor's budget recommendations, notwithstanding the restrictions imposed on  
332 such recommendations by available revenue.

333           (b) The information under Subsection (4)(a) shall include:

334           (i) actual revenues and expenditures for the fiscal year ending the previous June 30;

335           (ii) estimated or authorized revenues and expenditures for the current fiscal year;

336           (iii) requested revenues and expenditures for the next fiscal year;

337           (iv) detailed explanations of any differences between the amounts appropriated by the

338 Legislature in the current fiscal year and the amounts reported under Subsections (4)(b)(ii) and  
339 (iii); and

340 (v) other budgetary information required by the Legislature in statute.

341 (c) The budget information under Subsection (4)(a) shall cover:

342 (i) all items of appropriation, funds, and accounts included in appropriations acts for  
343 the current and previous fiscal years; and

344 (ii) any new appropriation, fund, or account items requested for the next fiscal year.

345 (d) The information provided under Subsection (4)(a) may be provided as a shared  
346 record under Section 63G-2-206 as considered necessary by the Governor's Office of Planning  
347 and Budget.

348 (5) (a) In submitting the budget for the Department of Public Safety, the governor shall  
349 include a separate recommendation in the governor's budget for maintaining a sufficient  
350 number of alcohol-related law enforcement officers to maintain the enforcement ratio equal to  
351 or below the number specified in Subsection 32B-1-201(2).

352 (b) If the governor does not include in the governor's budget an amount sufficient to  
353 maintain the number of alcohol-related law enforcement officers described in Subsection  
354 (5)(a), the governor shall include a message to the Legislature regarding the governor's reason  
355 for not including that amount.

356 (6) (a) The governor may revise all estimates, except those relating to the legislative  
357 department, the judicial department, and those providing for the payment of principal and  
358 interest to the state debt and for the salaries and expenditures specified by the Utah  
359 Constitution or under the laws of the state.

360 (b) The estimate for the judicial department, as certified by the state court  
361 administrator, shall also be included in the budget without revision, but the governor may make  
362 separate recommendations on the estimate.

363 (7) The total appropriations requested for expenditures authorized by the budget may  
364 not exceed the estimated revenues from taxes, fees, and all other sources for the next ensuing  
365 fiscal year.

366 (8) If any item of the budget as enacted is held invalid upon any ground, the invalidity  
367 does not affect the budget itself or any other item in the budget.

368 Section 5. Section 78A-2-104 is amended to read:

369           **78A-2-104. Judicial Council -- Creation -- Members -- Terms and election --**  
370 **Responsibilities -- Reports -- Guardian Ad Litem Oversight Committee.**

371           (1) The Judicial Council, established by Article VIII, Section 12, Utah Constitution,  
372 shall be composed of:

373           (a) the chief justice of the Supreme Court;

374           (b) one member elected by the justices of the Supreme Court;

375           (c) one member elected by the judges of the Court of Appeals;

376           (d) six members elected by the judges of the district courts;

377           (e) three members elected by the judges of the juvenile courts;

378           (f) three members elected by the justice court judges; and

379           (g) a member or ex officio member of the Board of Commissioners of the Utah State  
380 Bar who is an active member of the Bar in good standing at the time of election by the Board of  
381 Commissioners.

382           (2) The Judicial Council shall have a seal.

383           (3) (a) The chief justice of the Supreme Court shall act as presiding officer of the  
384 council and chief administrative officer for the courts. The chief justice shall vote only in the  
385 case of a tie.

386           (b) All members of the council shall serve for three-year terms.

387           (i) If a council member should die, resign, retire, or otherwise fail to complete a term  
388 of office, the appropriate constituent group shall elect a member to complete the term of office.

389           (ii) In courts having more than one member, the members shall be elected to staggered  
390 terms.

391           (iii) The person elected by the Board of Commissioners may complete a three-year  
392 term of office on the Judicial Council even though the person ceases to be a member or ex  
393 officio member of the Board of Commissioners. The person shall be an active member of the  
394 Bar in good standing for the entire term of the Judicial Council.

395           (c) Elections shall be held under rules made by the Judicial Council.

396           (4) The council is responsible for the development of uniform administrative policy for  
397 the courts throughout the state. The presiding officer of the Judicial Council is responsible for  
398 the implementation of the policies developed by the council and for the general management of  
399 the courts, with the aid of the state court administrator. The council has authority and

400 responsibility to:

401 (a) establish and assure compliance with policies for the operation of the courts,  
402 including uniform rules and forms; and

403 (b) publish and submit to the governor, the chief justice of the Supreme Court, and the  
404 Legislature an annual report of the operations of the courts, which shall include financial and  
405 statistical data and may include suggestions and recommendations for legislation.

406 (5) The council shall establish standards for the operation of the courts of the state  
407 including, but not limited to, facilities, court security, support services, and staff levels for  
408 judicial and support personnel.

409 (6) The council shall by rule establish the time and manner for destroying court  
410 records, including computer records, and shall establish retention periods for these records.

411 (7) (a) Consistent with the requirements of judicial office and security policies, the  
412 council shall establish procedures to govern the assignment of state vehicles to public officers  
413 of the judicial branch.

414 (b) The vehicles shall be marked in a manner consistent with Section [41-1a-407](#) and  
415 may be assigned for unlimited use, within the state only.

416 (8) (a) The council shall advise judicial officers and employees concerning ethical  
417 issues and shall establish procedures for issuing informal and formal advisory opinions on  
418 these issues.

419 (b) Compliance with an informal opinion is evidence of good faith compliance with the  
420 Code of Judicial Conduct.

421 (c) A formal opinion constitutes a binding interpretation of the Code of Judicial  
422 Conduct.

423 (9) (a) The council shall establish written procedures authorizing the presiding officer  
424 of the council to appoint judges of courts of record by special or general assignment to serve  
425 temporarily in another level of court in a specific court or generally within that level. The  
426 appointment shall be for a specific period and shall be reported to the council.

427 (b) These procedures shall be developed in accordance with Subsection  
428 ~~[78A-2-107(10)]~~ [78A-2-107\(1\)\(j\)](#) regarding temporary appointment of judges.

429 (10) The Judicial Council may by rule designate municipalities in addition to those  
430 designated by statute as a location of a trial court of record. There shall be at least one court

431 clerk's office open during regular court hours in each county. Any trial court of record may hold  
 432 court in any municipality designated as a location of a court of record.

433 (11) The Judicial Council shall by rule determine whether the administration of a court  
 434 shall be the obligation of the Administrative Office of the Courts or whether the Administrative  
 435 Office of the Courts should contract with local government for court support services.

436 (12) The Judicial Council may by rule direct that a district court location be  
 437 administered from another court location within the county.

438 (13) (a) The Judicial Council shall:

439 (i) establish the Office of Guardian Ad Litem, in accordance with Title 78A, Chapter 2,  
 440 Part 8, Guardian Ad Litem; and

441 (ii) establish and supervise a Guardian Ad Litem Oversight Committee.

442 (b) The Guardian Ad Litem Oversight Committee described in Subsection (13)(a)(ii)  
 443 shall oversee the Office of Guardian Ad Litem, established under Subsection (13)(a)(i), and  
 444 assure that the Office of Guardian Ad Litem complies with state and federal law, regulation,  
 445 policy, and court rules.

446 (14) The Judicial Council shall establish and maintain, in cooperation with the Office  
 447 of Recovery Services within the Department of Human Services, the part of the state case  
 448 registry that contains records of each support order established or modified in the state on or  
 449 after October 1, 1998, as is necessary to comply with the Social Security Act, 42 U.S.C. Sec.  
 450 654a.

451 Section 6. Section **78A-2-107** is amended to read:

452 **78A-2-107. Court administrator -- Powers, duties, and responsibilities.**

453 (1) Under the general supervision of the presiding officer of the Judicial Council, and  
 454 within the policies established by the council, the state court administrator shall:

455 [(+)] (a) organize and administer all of the nonjudicial activities of the courts;

456 [(2)] (b) assign, supervise, and direct the work of the nonjudicial officers of the courts;

457 [(3)] (c) implement the standards, policies, and rules established by the council;

458 [(4)] (d) formulate and administer a system of personnel administration, including  
 459 in-service training programs;

460 [(5)] (e) prepare and administer the state judicial budget, fiscal, accounting, and  
 461 procurement activities for the operation of the courts of record, and assist justices' courts in

462 their budgetary, fiscal, and accounting procedures;

463 ~~[(6)]~~ (f) conduct studies of the business of the courts, including the preparation of  
464 recommendations and reports relating to them;

465 ~~[(7)]~~ (g) develop uniform procedures for the management of court business, including  
466 the management of court calendars;

467 ~~[(8)]~~ (h) maintain liaison with the governmental and other public and private groups  
468 having an interest in the administration of the courts;

469 ~~[(9)]~~ (i) establish uniform policy concerning vacations and sick leave for judges and  
470 nonjudicial officers of the courts;

471 ~~[(10)]~~ (j) establish uniform hours for court sessions throughout the state and may, with  
472 the consent of the presiding officer of the Judicial Council, call and appoint justices or judges  
473 of courts of record to serve temporarily as Court of Appeals, district court, or juvenile court  
474 judges and set reasonable compensation for their services;

475 ~~[(11)]~~ (k) when necessary for administrative reasons, change the county for trial of any  
476 case if no party to the litigation files timely objections to this change;

477 ~~[(12)]~~ (l) ~~[(a)]~~ organize and administer a program of continuing education for judges  
478 and support staff, including training for justice court judges; ~~[and]~~

479 ~~[(b)]~~ (m) ensure that any training or continuing education described in Subsection  
480 ~~[(12)(a)]~~ (1)(l) complies with Title 63G, Chapter 22, State Training and Certification  
481 Requirements;

482 ~~[(13)]~~ (n) provide for an annual meeting for each level of the courts of record, and the  
483 annual judicial conference; and

484 ~~[(14)]~~ (o) perform other duties as assigned by the presiding officer of the council.

485 (2) The court administrator shall include, in a proposed budget, the following  
486 information for each line item:

487 (a) the total budget amount for the current fiscal year ending June 30;

488 (b) the total proposed budget amount for the upcoming fiscal year, beginning July 1;

489 and

490 (c) the percentage difference between the amount described in Subsection (2)(a) and  
491 the amount described in Subsection (2)(b).

492 (3) The court administrator shall include in the proposed budget the percentage



493 difference between:

494 (a) the most recent population estimate for the state published by the Utah Population  
495 Committee; and

496 (b) the population estimate for the state, published by the Utah Population Committee,  
497 applicable at the time that the final budget was adopted for the fiscal year immediately  
498 preceding the fiscal year to which the proposed budget relates.

499 Section 7. **Effective date.**

500 This bill takes effect on January 1, 2024.