

HB0294S01 compared with HB0294

~~deleted text~~ shows text that was in HB0294 but was deleted in HB0294S01.

inserted text shows text that was not in HB0294 but was inserted into HB0294S01.

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Senator Keith Grover proposes the following substitute bill:

GOVERNMENTAL ENTITY BUDGET TRANSPARENCY

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Nelson T. Abbott

Senate Sponsor: ~~_____~~ Keith Grover

Cosponsors:

Cheryl K. Acton

Carl R. Albrecht

Kera Birkeland

Kay J. Christofferson

Tyler Clancy

Quinn Kotter

Jason Kyle

Trevor Lee

Karianne Lisonbee

Anthony E. Loubet

Jefferson Moss

Candice B. Pierucci

Mike Schultz

Mark A. Strong

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

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- ▶ 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}~~ **ENACTS:**

78A-2-107.1, Utah Code Annotated 1953

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.

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(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 taxes; and

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

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

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

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

(ii) may amend or revise the tentative budget.

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

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

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

(1) [(a)] On or before the first regularly scheduled meeting of the governing body in the

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last May of the current period, the budget officer shall, in accordance with Subsection ~~[(1)(b)]~~ (2), prepare for the ensuing fiscal period, and file with the governing body, a tentative budget for each fund for which a budget is required.

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

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

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

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

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

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

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

~~[(F)]~~ (A) hearing each department head; and

~~[(H)]~~ (B) reviewing the budget requests and estimates of the department heads; and

~~[(B)]~~ (ii) ~~[(F)]~~ (A) the amount of revenue available to serve the needs of each fund;

~~[(H)]~~ (B) the portion of revenue to be derived from all sources other than general property taxes; and

~~[(H)]~~ (C) the portion of revenue that shall be derived from general property taxes.

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

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

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

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

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

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

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

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

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

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

(ii) Each city of the first or second class shall, and a city of the third, fourth, or fifth class may, submit a supplementary estimate of all capital projects which each department head believes should be undertaken within the next three succeeding years.

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

(i) explains the budget;

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

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

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

(v) explains any major changes in financial policy.

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

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

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

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tentative budget.

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

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

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

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

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

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

17-36-10. Preparation of tentative budget.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) In the preparation of the budget, the finance officer and all other county officers are subject to Sections 17-36-1 through 17-36-44 and to the uniform system of budgeting, accounting, and reporting established therein.

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

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

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

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

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

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

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

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

(d) if required by the governing body, actual performance experience to the extent available in work units, unit costs, man hours, and man years for each budgeted fund that

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includes an appropriation for salaries or wages for the last completed fiscal period and the first eight months of the current fiscal period if the county is on an annual fiscal period, or the first 20 months of the current fiscal period if the county is on a biennial fiscal period, together with the total estimated performance data of like character for the current fiscal period and for the ensuing budget period.

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

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

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

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

(a) the total budget amount for the current fiscal period ending December 31;

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

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

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

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

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

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

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(b) The budget message shall:

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

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

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

(iv) explain any major changes in financial policy.

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

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

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

(ii) A governing body may not:

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

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

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

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

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

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

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

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

(iii) as applicable, a document showing proposed changes in estimated revenues that

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are based on changes in state tax laws or rates.

(b) The proposed budget shall include:

(i) a projection of:

(A) estimated revenues by major tax type;

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

(C) estimated receipts of federal funds;

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

(E) appropriations for the next fiscal year;

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

(iii) changes to debt service;

(iv) a plan of proposed changes to appropriations and estimated revenues for the next fiscal year that is based upon the current fiscal year state tax laws and rates and considers projected changes in federal grants or assistance programs included in the budget;

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

(A) the legislative department as certified to the governor by the president of the Senate and the speaker of the House;

(B) the executive department;

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

(D) changes to salaries payable by the state under the Utah Constitution or under law for lease agreements planned for the next fiscal year; and

(E) all other changes to ongoing or one-time appropriations, including dedicated credits, restricted funds, nonlapsing balances, grants, and federal funds;

(vi) for each line item, the average annual dollar amount of staff funding associated with all positions that were vacant during the last fiscal year;

(vii) deficits or anticipated deficits;

(viii) the recommendations for each state agency for new full-time employees for the next fiscal year, which shall also be provided to the director of the Division of Facilities Construction and Management as required by Subsection 63A-5b-501(3);

(ix) a written description and itemized report submitted by a state agency to the Governor's Office of Planning and Budget under Section 63J-1-220, including:

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(A) a written description and an itemized report provided at least annually detailing the expenditure of the state money, or the intended expenditure of any state money that has not been spent; and

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

(x) any explanation that the governor may desire to make as to the important features of the budget and any suggestion as to methods for the reduction of expenditures or increase of the state's revenue; [~~and~~]

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

(xii) for each agency:

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

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

and

(C) the percentage difference between the amount described in Subsection (2)(b)(xii)(A) and the amount described in Subsection (2)(b)(xii)(B).

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

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

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

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

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

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

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emphasis on outcome indicators; and

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

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

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

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

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

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

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

(iv) detailed explanations of any differences between the amounts appropriated by the Legislature in the current fiscal year and the amounts reported under Subsections (4)(b)(ii) and (iii); and

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

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

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

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

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

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

(b) If the governor does not include in the governor's budget an amount sufficient to

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maintain the number of alcohol-related law enforcement officers described in Subsection (5)(a), the governor shall include a message to the Legislature regarding the governor's reason for not including that amount.

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

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

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

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

Section 5. Section ~~{78A-2-104}~~ 78A-2-107.1 is ~~{amended}~~ enacted to read:

~~{78A-2-104}78A-2-107.~~ ~~Judicial Council -- Creation -- Members -- Terms and election -- Responsibilities -- Reports -- Guardian Ad Litem Oversight Committee.~~

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

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

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

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

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

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

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

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

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

~~(3) (a) The chief justice of the Supreme Court shall act as presiding officer of the~~

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~~council and chief administrative officer for the courts. The chief justice shall vote only in the case of a tie.~~

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

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

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

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

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

~~—— (4) The council is responsible for the development of uniform administrative policy for the courts throughout the state. The presiding officer of the Judicial Council is responsible for the implementation of the policies developed by the council and for the general management of the courts, with the aid of the state court~~1. Court

~~administrator~~. The council has authority and responsibility to:

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

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

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

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

~~—— (7) (a) Consistent with the requirements of judicial office and security policies, the~~

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~~council shall establish procedures to govern the assignment of state vehicles to public officers of the judicial branch.~~

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

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

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

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

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

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

~~—— (10) The Judicial Council may by rule designate municipalities in addition to those designated by statute as a location of a trial court of record. There shall be at least one court clerk's office open during regular court hours in each county. Any trial court of record may hold court in any municipality designated as a location of a court of record.~~

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

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

~~—— (13) (a) The Judicial Council shall:~~

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

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- ~~—— (ii) establish and supervise a Guardian Ad Litem Oversight Committee;~~
- ~~—— (b) The Guardian Ad Litem Oversight Committee described in Subsection (13)(a)(ii) shall oversee the Office of Guardian Ad Litem, established under Subsection (13)(a)(i), and assure that the Office of Guardian Ad Litem complies with state and federal law, regulation, policy, and court rules;~~
- ~~—— (14) The Judicial Council shall establish and maintain, in cooperation with the Office of Recovery Services within the Department of Human Services, the part of the state case registry that contains records of each support order established or modified in the state on or after October 1, 1998, as is necessary to comply with the Social Security Act, 42 U.S.C. Sec. 654a;~~
- ~~—— Section 6. Section 78A-2-107 is amended to read:~~
- ~~—— 78A-2-107. Court administrator -- Powers, duties, and responsibilities:~~
- ~~—— (1) Under the general supervision of the presiding officer of the Judicial Council, and within the policies established by the council, the state court administrator shall:~~
- ~~—— [(1)] (a) organize and administer all of the nonjudicial activities of the courts;~~
- ~~—— [(2)] (b) assign, supervise, and direct the work of the nonjudicial officers of the courts;~~
- ~~—— [(3)] (c) implement the standards, policies, and rules established by the council;~~
- ~~—— [(4)] (d) formulate and administer a system of personnel administration, including in-service training programs;~~
- ~~—— [(5)] (e) prepare and administer the state judicial budget, fiscal, accounting, and procurement activities for the operation of the courts of record, and assist justices' courts in their budgetary, fiscal, and accounting procedures;~~
- ~~—— [(6)] (f) conduct studies of the business of the courts, including the preparation of recommendations and reports relating to them;~~
- ~~—— [(7)] (g) develop uniform procedures for the management of court business, including the management of court calendars;~~
- ~~—— [(8)] (h) maintain liaison with the governmental and other public and private groups having an interest in the administration of the courts;~~
- ~~—— [(9)] (i) establish uniform policy concerning vacations and sick leave for judges and nonjudicial officers of the courts;~~

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

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

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

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

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

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

~~(2)~~ -- Requirements for proposed budget.

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

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

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

and

(c) the percentage difference between the amount described in Subsection ~~(f2)1~~(a) and the amount described in Subsection ~~(f2)1~~(b).

~~(f3)2~~ The court administrator shall include in the proposed budget the percentage difference between:

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

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

Section ~~(7)6~~. Effective date.

This bill takes effect on January 1, 2024.

HB0294S01 compared with HB0294