

HJR012S01 compared with HJR012

~~{deleted text}~~ shows text that was in HJR012 but was deleted in HJR012S01.

inserted text shows text that was not in HJR012 but was inserted into HJR012S01.

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Representative Melissa G. Ballard proposes the following substitute bill:

JOINT RULES RESOLUTION ~~{}~~ BUDGET EFFICIENCY

MODIFICATIONS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Melissa G. Ballard

Senate Sponsor: _____

LONG TITLE

General Description:

This joint rules resolution addresses budget reporting and evaluation requirements.

Highlighted Provisions:

This resolution:

- ▶ amends definitions;
- ▶ modifies the responsibilities of the Office of the Legislative Auditor General related to an efficiency evaluation;

~~{~~ → ~~modifies an appropriations subcommittee's responsibilities during an accountable budget process;~~

- ~~}~~ ▶ requires an appropriations subcommittee to review ~~{any}~~ nonlapsing

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appropriations; and

- ▶ makes technical and conforming changes. ~~{ }~~

Special Clauses:

~~{ None }~~ This resolution provides a coordination clause.

Legislative Rules Affected:

AMENDS:

JR1-4-601

JR1-4-603

JR3-2-501

ENACTS:

JR3-2-709

Legislative Rules Affected by Coordination Clause:

JR3-2-501

JR3-2-709

Be it resolved by the Legislature of the state of Utah:

Section 1. **JR1-4-601** is amended to read:

JR1-4-601. Definitions.

As used in this part:

(1) "Appropriated entity" means ~~[any entity that receives state funds]~~ the same as that term is defined in Utah Code Section 63J-1-902.

(2) "Efficiency evaluation" means an evaluation of a government process identified for efficiency improvements under this part.

~~[(2) "Product or service" means an appropriated entity's final output or outcome.]~~

(3) "Government process" means ~~[a set of functions and procedures by which an appropriated entity creates a product or service]~~ the same as that term is defined in Utah Code Section 63J-1-902.

(4) "Legislative office" means:

- (a) the Office of Legislative Research and General Counsel;
- (b) the Office of the Legislative Auditor General;
- (c) the Office of the Legislative Fiscal Analyst; or

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(d) Legislative Services.

(5) "Performance measure" means [~~a program objective, effectiveness measure, program size indicator, or other related measure~~] the same as that term is defined in Utah Code Section 63J-1-902.

(6) "~~{Product}~~Product or service" means the same as that term is defined in Utah Code Section 63J-1-902.

~~[(6) "Targeted efficiency evaluation" means an evaluation of a government process identified for efficiency improvements under this part.]~~

Section 2. **JR1-4-603** is amended to read:

JR1-4-603. Efficiency improvement process.

~~[(1) {} By May 1, 2022, the {} The] Office of the Legislative Fiscal Analyst shall, in collaboration with the Governor's Office of Planning and Budget:~~

~~[(a) establish a process to conduct {} targeted {} efficiency evaluations; and]~~

~~[(b) submit a plan to the Legislative Management Committee that:]~~

~~[(i) prioritizes the government processes for which the Office of the Legislative Fiscal Analyst will conduct {} a targeted {} an] efficiency evaluation; and]~~

~~[(ii) establishes a schedule by which the Office of the Legislative Fiscal Analyst will conduct each {} targeted {} efficiency evaluation:]~~

~~[(2)]~~ 1(1) (a) When conducting [a ~~targeted~~] an efficiency evaluation under this rule, the Office of the Legislative Fiscal Analyst may work with the Governor's Office of Planning and Budget and the appropriated entity that administers the government process to identify:

(i) any operational inefficiencies in the government process and ways to eliminate the inefficiencies;

(ii) rewards or incentives for implementing recommendations of the [targeted] efficiency evaluation; and

(iii) any misalignment in the appropriated entity's products or services in relation to the appropriated entity's adopted performance measures.

(b) The Office of the Legislative Fiscal Analyst shall report to the Office of the Legislative Auditor General the results of each [targeted] efficiency evaluation.

~~[(3)]~~ 1(2) (a) The Office of the Legislative Auditor General shall independently review the results of each [targeted] efficiency evaluation [~~and, based on that review, conduct further~~

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risk assessment to determine the extent to which the appropriated entity has implemented any recommendations from the targeted efficiency evaluation] and may conduct initial survey work.

(b) Based on the review described in Subsection ~~[(3)(a)]~~ [(2)(a)], the Office of the Legislative Auditor General may recommend to the Audit Subcommittee created in Utah Code Section 36-12-8 that the Office of the Legislative Auditor General conducts an in-depth [review] audit of the appropriated entity.

(c) The Office of the Legislative Auditor General shall provide a copy of any in-depth [review described in Subsection (3)(b) to the legislative interim committee and the legislative appropriations subcommittee with oversight responsibility for the appropriated entity] audit to the Audit Subcommittee created in Utah Code Section 36-12-8 for referral to a legislative committee or appropriations subcommittee.

~~[(4)]~~ [(3)] [(a)] Upon receipt of an in-depth [review described in Subsection (3).] audit under Subsection ~~[(3), (3)2]~~ [(3)2](c):

(a) a legislative interim committee shall:

(i) review the appropriated entity that is the subject of the in-depth [review] audit; and
(ii) if appropriate, recommend to the Legislature any legislation to improve the efficiency of the appropriated entity[-]; and

(b) [~~Upon receipt of an in-depth review described in Subsection (3);~~] a legislative appropriations subcommittee shall:

(i) review the appropriated entity that is the subject of the in-depth [review] audit;
(ii) determine whether the appropriated entity is appropriately using the appropriated entity's state funds; and
(iii) if appropriate, recommend to the Legislature any budgetary changes to improve the efficiency of the appropriated entity.

~~[(5)]~~ [(4)] As part of the efficiency improvement process described in this rule, the Office of the Legislative Fiscal Analyst or the Office of the Legislative Auditor General may, in consultation with the Governor's Office of Planning and Budget:

- (a) recommend that an appropriated entity receives training; or
- (b) provide training to the appropriated entity.

~~[(6)]~~ [(5)] The efficiency improvement process described in this rule does not apply to a legislative department government process.

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Section 3. **JR3-2-501** is amended to read:

JR3-2-501. Meetings -- Accountable process budget creation -- Appropriation reviews.

(1) (a) During the interim, the Executive Appropriations Committee shall meet at least every other month on the day before interim meetings.

(b) The appropriations subcommittee chairs may attend these meetings and provide input regarding their budget.

(2) [~~Appropriation~~] Appropriations subcommittees shall meet at least once during the interim and may also hold additional meetings if authorized by the Legislative Management Committee.

(3) (a) Each interim, each appropriations subcommittee shall create an accountable process budget for approximately 20% of the budgets that fall within the [~~appropriation~~] appropriations subcommittee's responsibilities.

(b) Each appropriations subcommittee shall ensure that each of the budgets for which the appropriations subcommittee has responsibility is the subject of an accountable budget process at least once every five years.

~~{ (c) For each budget that is subject to an accountable budget process, an appropriations subcommittee shall:~~

~~—— (i) review and discuss the budget evaluation submitted in accordance with Utah Code Section 63J-1-903;~~

~~—— (ii) identify whether any portion of the budget overlaps with another budget, and~~

~~—— (iii) identify any opportunities to increase budgetary efficiencies.~~

‡ (4) (a) The Executive Appropriations Committee may, based on a legislator's or citizen's complaint, review any appropriation, whether in an appropriations bill or otherwise, to ensure that the entity to which the funds were appropriated complies with any legislative intent expressed in the legislation appropriating the funds.

(b) If the Executive Appropriations Committee finds that an entity has not complied with any legislative intent concerning an appropriation expressed in the legislation appropriating the fund, the committee may make a recommendation concerning the appropriation to the entity receiving the funds and the Legislative Management Committee.

Section 4. **JR3-2-709** is enacted to read:

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JR3-2-709. Review of nonlapsing appropriations.

~~{(1) As used in this section, "nonlapsing" means the same as that term is defined in Utah Code Section 63J-1-603.~~

~~—(2) Each appropriations subcommittee shall:~~

~~—(a), during an accountable budget process under JR3-2-501, review each account, fund, and appropriation to a program that is designated as nonlapsing under Utah Code Title 63J, Chapter 1, Part 6, Unused Balances.~~

Section 5. Coordinating H.J.R. 12 and H.B. 322 -- Substantive and technical amendments.

If this H.J.R. 12 and H.B. 322, Budget Reporting Requirements, both pass and become law, it is the intent of the Legislature that the Office of Legislative Research and General Counsel prepare the Legislative Rules database for publication by:

(1) amending Subsection JR3-2-501(3) to read:

"(3) (a) Each interim, each appropriations subcommittee shall create an accountable process budget for approximately 20% of the budgets that fall within the appropriations subcommittee's responsibilities.

(b) Each appropriations subcommittee shall ensure that each of the budgets for which the appropriations subcommittee has responsibility is the subject of an accountable budget process at least once every five years.

(c) For each budget that is subject to an accountable budget process, an appropriations subcommittee shall:

(i) review and discuss the budget evaluation submitted in accordance with Utah Code

Section 63J-1-903;

(ii) identify whether any portion of the budget overlaps with another budget; and

(iii) identify any opportunities to increase budgetary efficiencies."; and

(2) amending JR3-2-709 to read:

"(1) Each appropriations subcommittee shall:

(a) during an accountable budget process under JR3-2-501, review each account, fund, and appropriation to a program that is designated as nonlapsing under Utah Code Title 63J, Chapter 1, Part 6, Unused Balances; and

(b) review any nonlapsing appropriations report submitted in accordance with Utah

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Code Section 63J-1-602.

(~~3~~2) For any nonlapsing appropriation that is saved over multiple years to pay for an anticipated expense, an appropriations subcommittee shall make a recommendation as to whether the Legislature should instead appropriate one-time funding for the expense."