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**LEGISLATIVE OFFICES AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Curtis S. Bramble**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill amends provisions governing staff offices of the Utah Legislature.

**Highlighted Provisions:**

This bill:

- ▶ clarifies the authority of the legislative auditor general over a project entity, a taxed interlocal entity, the Utah Data Research Center, and an independent corporation;
- ▶ directs the Office of Legislative Research and General Counsel to return enrolled bills to the Senate or House of Representatives;
- ▶ amends certain duties and powers of the Office of Legislative Research and General Counsel;
- ▶ prohibits the Office of Legislative Research and General Counsel from providing services to an individual who is not qualified to serve or is expelled from the House of Representatives or Senate unless the services are approved by the Legislative Management Committee;
- ▶ modifies certain duties and powers of the legislative auditor general and the Office of the Legislative Auditor General;
- ▶ authorizes the legislative auditor general to issue a subpoena to financial institutions and other entities;
- ▶ modifies the professional qualifications an individual must have to act as the legislative auditor general;



- 28           ▶ authorizes the Office of the Legislative Auditor General to conduct systemic
- 29 performance audits of certain executive branch entities and local education
- 30 agencies;
- 31           ▶ clarifies issuers of legislative subpoenas;
- 32           ▶ authorizes service of a legislative subpoena by electronic transmission;
- 33           ▶ repeals sunset provisions that have expired; and
- 34           ▶ makes other clarifying corrections.

35 **Money Appropriated in this Bill:**

36           None

37 **Other Special Clauses:**

38           This bill provides a special effective date.

39 **Utah Code Sections Affected:**

40 AMENDS:

- 41           **11-13-316**, as last amended by Laws of Utah 2022, Chapter 422
- 42           **11-13-603**, as last amended by Laws of Utah 2022, Chapter 422
- 43           **36-3-306**, as renumbered and amended by Laws of Utah 2020, Chapter 383
- 44           **36-12-12**, as last amended by Laws of Utah 2003, Chapter 92
- 45           **36-12-15**, as last amended by Laws of Utah 2021, Chapter 421
- 46           **36-12-15.1**, as last amended by Laws of Utah 2021, Chapter 331
- 47           **36-14-2**, as last amended by Laws of Utah 2014, Chapter 339
- 48           **36-14-4**, as enacted by Laws of Utah 1989, Chapter 174
- 49           **36-14-5**, as last amended by Laws of Utah 2013, First Special Session, Chapter 1
- 50           **53B-7-708**, as enacted by Laws of Utah 2017, Chapter 365
- 51           **53B-33-301**, as renumbered and amended by Laws of Utah 2022, Chapter 461
- 52           **63E-2-104**, as last amended by Laws of Utah 2003, Chapter 8
- 53           **63I-2-253**, as last amended by Laws of Utah 2022, Chapters 208, 229, 274, 354, 370,
- 54 and 409
- 55           **68-3-13**, as enacted by Laws of Utah 1989, Chapter 16

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

58           Section 1. Section **11-13-316** is amended to read:

59 **11-13-316. Project entity oversight.**

60 (1) Notwithstanding any other provision of law, a project entity is a political  
 61 subdivision that~~[(a)]~~ is subject to the authority of the legislative auditor general pursuant to  
 62 Utah Constitution, Article VI, Section 33, ~~[is subject to the authority of the legislative auditor~~  
 63 ~~to conduct audits of any funds, functions, and accounts in any political subdivision of this~~  
 64 ~~state;]~~ and Section 36-12-15.

65 ~~[(b) is subject to the requirement to provide the Office of the Legislative Auditor~~  
 66 ~~General with all records, documents, and reports necessary for the legislative auditor general or~~  
 67 ~~the office to fulfill the duties described in Subsection (1)(a).]~~

68 ~~[(2) Subsection (1) takes precedence over Section 36-12-15.]~~

69 ~~[(3)]~~ (2) A project entity shall comply with Title 63G, Chapter 6a, Utah Procurement  
 70 Code, unless the governing board of the project entity adopts policies for procurement that  
 71 enable the project entity to efficiently fulfill the project entity's responsibilities under the  
 72 project entity's organization agreement.

73 ~~[(4)]~~ (3) If a project entity does not adopt policies for procurement under Subsection  
 74 ~~[(3)]~~ (2), then for purposes of Title 63G, Chapter 6a, Utah Procurement Code:

75 (a) the project entity is a local government procurement unit, as defined in Section  
 76 63G-6a-103; and

77 (b) the governing board is a procurement official, as defined in Section 63G-6a-103.

78 ~~[(5)]~~ (4) A project entity shall comply with Title 52, Chapter 4, Open and Public  
 79 Meetings Act.

80 Section 2. Section **11-13-603** is amended to read:

81 **11-13-603. Taxed interlocal entity.**

82 (1) Except for purposes of an audit, examination, investigation, or review by the  
 83 ~~[Office of the Legislative Auditor General]~~ legislative auditor general as described in  
 84 Subsection (8) and notwithstanding any other provision of law:

85 (a) the use of an asset by a taxed interlocal entity does not constitute the use of a public  
 86 asset;

87 (b) a taxed interlocal entity's use of an asset that was a public asset before the taxed  
 88 interlocal entity's use of the asset does not constitute a taxed interlocal entity's use of a public  
 89 asset;

90 (c) an official of a project entity is not a public treasurer; and

91 (d) a taxed interlocal entity's governing board shall determine and direct the use of an  
92 asset by the taxed interlocal entity.

93 (2) (a) A taxed interlocal entity that is not a project entity is not subject to the  
94 provisions of Title 63G, Chapter 6a, Utah Procurement Code.

95 (b) A project entity is subject to the provisions of Title 63G, Chapter 6a, Utah  
96 Procurement Code<sub>2</sub> to the extent described in Section [11-13-316](#).

97 (3) (a) A taxed interlocal entity is not a participating local entity as defined in Section  
98 [67-3-12](#).

99 (b) For each fiscal year of a taxed interlocal entity, the taxed interlocal entity shall  
100 provide:

101 (i) the taxed interlocal entity's financial statements for and as of the end of the fiscal  
102 year and the prior fiscal year, including:

103 (A) the taxed interlocal entity's statement of net position as of the end of the fiscal year  
104 and the prior fiscal year, and the related statements of revenues and expenses and of cash flows  
105 for the fiscal year; or

106 (B) financial statements that are equivalent to the financial statements described in  
107 Subsection (3)(b)(i)(A) and, at the time the financial statements were created, were in  
108 compliance with generally accepted accounting principles that are applicable to taxed interlocal  
109 entities; and

110 (ii) the accompanying auditor's report and management's discussion and analysis with  
111 respect to the taxed interlocal entity's financial statements for and as of the end of the fiscal  
112 year.

113 (c) The taxed interlocal entity shall provide the information described in Subsection  
114 (3)(b) within a reasonable time after the taxed interlocal entity's independent auditor delivers to  
115 the taxed interlocal entity's governing board the auditor's report with respect to the financial  
116 statements for and as of the end of the fiscal year.

117 (d) Notwithstanding Subsections (3)(b) and (c) or a taxed interlocal entity's compliance  
118 with one or more of the requirements of Title 63A, Chapter 3, Division of Finance:

119 (i) the taxed interlocal entity is not subject to Title 63A, Chapter 3, Division of  
120 Finance; and

121 (ii) the information described in Subsection (3)(b)(i) or (ii) does not constitute public  
122 financial information as defined in Section 67-3-12.

123 (4) (a) A taxed interlocal entity's governing board is not a governing board as defined  
124 in Section 51-2a-102.

125 (b) A taxed interlocal entity is not subject to the provisions of Title 51, Chapter 2a,  
126 Accounting Reports from Political Subdivisions, Interlocal Organizations, and Other Local  
127 Entities Act.

128 (5) Notwithstanding any other provision of law, a taxed interlocal entity is not subject  
129 to the following provisions:

130 (a) Part 4, Governance;

131 (b) Part 5, Fiscal Procedures for Interlocal Entities;

132 (c) Subsection 11-13-204(1)(a)(i) or (ii)(J);

133 (d) Subsection 11-13-206(1)(f);

134 (e) Subsection 11-13-218(5)(a);

135 (f) Section 11-13-225;

136 (g) Section 11-13-226; or

137 (h) Section 53-2a-605.

138 (6) (a) In addition to having the powers described in Subsection 11-13-204(1)(a)(ii), a  
139 taxed interlocal entity may, for the regulation of the entity's affairs and conduct of its business,  
140 adopt, amend, or repeal bylaws, policies, or procedures.

141 (b) Nothing in Part 4, Governance, or Part 5, Fiscal Procedures for Interlocal Entities,  
142 may be construed to limit the power or authority of a taxed interlocal entity.

143 (7) (a) A governmental law enacted after May 12, 2015, and on or before November  
144 10, 2021, is not applicable to, is not binding upon, and does not have effect on a taxed  
145 interlocal entity that is a project entity unless the governmental law expressly states the section  
146 of governmental law to be applicable to and binding upon the taxed interlocal entity with the  
147 following words: "[Applicable section or subsection number] constitutes an exception to  
148 Subsection 11-13-603(7)(a) and is applicable to and binding upon a taxed interlocal entity."

149 (b) A governmental law enacted after May 12, 2015, is not applicable to, is not binding  
150 upon, and does not have effect on a taxed interlocal entity that is an energy services interlocal  
151 entity unless the governmental law expressly states the section of governmental law to be

152 applicable to and binding upon the energy services interlocal entity with the following words:

153 "[Applicable section or subsection number] constitutes an exception to Subsection  
154 [11-13-603](#)(7)(a) and is applicable to and binding upon an energy services interlocal entity."

155 (c) Sections [11-13-601](#) through [11-13-608](#) constitute an exception to Subsections (7)(a)  
156 and (7)(b) and are applicable to and binding upon a taxed interlocal entity.

157 (8) ~~[(a)]~~ Notwithstanding any other provision of law, a taxed interlocal entity that is a  
158 project entity is a political subdivision that ~~[(i)]~~ is subject to the authority of the legislative  
159 auditor general pursuant to Utah Constitution, Article VI, Section 33, [is subject to the  
160 authority of the legislative auditor to conduct audits of any funds, functions, and accounts in  
161 any political subdivision of this state;] and Section [36-12-15](#).

162 ~~[(ii) is subject to the requirement to provide the Office of the Legislative Auditor~~  
163 ~~General with all records, documents, and reports necessary of the legislative auditor general or~~  
164 ~~the office to fulfill the duties described in Subsection (8)(a)(i).]~~

165 ~~[(b) Subsection (8)(a) takes precedence over Section [36-12-15](#).]~~

166 Section 3. Section **36-3-306** is amended to read:

167 **36-3-306. Enrolling of bills.**

168 All bills ordered enrolled by the Legislature shall be delivered to the Office of  
169 Legislative Research and General Counsel, who shall without delay enroll the bills and return  
170 them to ~~[the secretary of]~~ the Senate or ~~[chief clerk of]~~ the House of Representatives.

171 Section 4. Section **36-12-12** is amended to read:

172 **36-12-12. Office of Legislative Research and General Counsel established --**

173 **Powers, functions, and duties -- Organization of office -- Selection of director and general**  
174 **counsel.**

175 (1) There is established an Office of Legislative Research and General Counsel as a  
176 permanent staff office for the Legislature.

177 (2) The powers, functions, and duties of the Office of Legislative Research and General  
178 Counsel under the supervision of the director shall be:

179 (a) to provide research and legal staff assistance to all standing, special, and interim  
180 committees as follows:

181 (i) to assist each committee chairman in planning the work of the committee;

182 (ii) to prepare and present research and legal information in accordance with committee

183 instructions or instructions of the committee chairman;

184 (iii) to prepare progress reports of committee work when requested; and

185 (iv) to prepare a final committee report in accordance with committee instructions, that

186 includes relevant research information, committee policy recommendations, and recommended

187 legislation;

188 (b) to collect and examine the acts and official reports of any state and report their

189 contents to any committee or member of the Legislature;

190 (c) to provide research and legal analysis services to any interim committee, legislative

191 standing committee, or individual legislator on actual or proposed legislation or subjects of

192 general legislative concern;

193 (d) to maintain a legislative research library that provides analytical, statistical, legal,

194 and descriptive data relative to current and potential governmental and legislative subjects;

195 (e) (i) to exercise under the direction of the general counsel the constitutional authority

196 provided in Article VI, ~~[Sec.]~~ Section 32, Utah Constitution, in serving as legal counsel to the

197 Legislature, majority and minority leadership of the House or Senate, any of the Legislature's

198 committees or subcommittees, individual legislators, any of the Legislature's staff offices, or

199 any of the legislative staff; and

200 (ii) to represent the Legislature, majority and minority leadership of the House of

201 Representatives or Senate, any of the Legislature's committees or subcommittees, individual

202 legislators, any of the Legislature's staff offices, or any of the legislative staff in cases and

203 controversies before courts and administrative agencies and tribunals;

204 (f) to prepare and assist in the preparation of legislative bills, resolutions, memorials,

205 amendments, and other documents or instruments required in the legislative process and, under

206 the direction of the general counsel, give advice and counsel regarding them to the Legislature,

207 majority and minority leadership of the House of Representatives or Senate, any of its members

208 or members-elect, any of its committees or subcommittees, or the legislative staff;

209 (g) under the direction of the general counsel~~[;]~~;

210 (i) to review, examine, and correct any technical errors ~~[and approve legislation that~~

211 ~~has passed both houses in order to enroll the legislation and prepare the laws for publication]~~

212 when:

213 (A) preparing legislation that passed both houses to enroll the legislation and prepare

214 the laws for publication; or

215 (B) maintaining the accuracy of the electronic code database; and

216 (ii) to deliver enrolled legislation to the House of Representatives and the Senate for  
217 submission to the governor for gubernatorial action;

218 (h) to keep on file records concerning all legislation and proceedings of the Legislature  
219 with respect to legislation referred to in Subsection (2)(g);

220 (i) to prepare the laws for publication;

221 (j) (i) to maintain an electronic record organized by title, chapter, part, and section that  
222 contains the Laws of Utah that are currently in effect and that will take effect in the future; and

223 (ii) to modify the electronic record required by Subsection (2)(j)(i) based upon changes  
224 to the Laws of Utah or to correct technical errors;

225 ~~[(j)]~~ (k) to formulate recommendations for the revision, clarification, classification,  
226 arrangement, codification, annotation, and indexing of Utah statutes, and to develop proposed  
227 legislation to effectuate the recommendations;

228 ~~[(j)]~~ (l) to appoint and develop a professional staff within budget limitations; and

229 ~~[(k)]~~ (m) to prepare and submit the annual budget request for the Office of Legislative  
230 Research and General Counsel.

231 (3) (a) If, under Article VI, Section 10, Utah Constitution, the House of  
232 Representatives or Senate determines that an individual is not qualified to serve in the House of  
233 Representatives or Senate, or expels an individual from the respective chamber, but the  
234 individual continues to hold his or her elected legislative office, the Office of Legislative  
235 Research and General Counsel may not provide legislative staff services, including legal  
236 services, to the individual.

237 (b) Notwithstanding Subsection (3)(a), the Office of Legislative Research and General  
238 Counsel may provide legal services for an individual described in Subsection (3)(a) if the legal  
239 services are approved by the Legislative Management Committee described in Section [36-12-7](#).

240 ~~[(3)]~~ (4) The statutory authorization of the Office of Legislative Research and General  
241 Counsel to correct technical errors provided in Subsection (2)(g), to prepare the laws for  
242 publication in Subsection (2)(i), and to modify the electronic record to correct technical errors  
243 under Subsection (2)(j)(ii) includes:

244 (a) adopting a uniform system of punctuation, capitalization, numbering, and wording



245 for enrolled legislation and the Laws of Utah;

246 (b) eliminating duplication and the repeal of laws directly or by implication, including  
247 renumbering when necessary;

248 (c) correcting defective or inconsistent [~~section and paragraph~~] title, chapter, part,  
249 section, and subsection structure in the arrangement of the subject matter of existing statutes;

250 (d) eliminating [~~an~~] obsolete and redundant words;

251 (e) correcting:

252 (i) obvious typographical and grammatical errors; and

253 (ii) other obvious inconsistencies, including those involving punctuation,  
254 capitalization, cross references, numbering, and wording;

255 (f) inserting or changing the boldface to more accurately reflect the substance of each  
256 section, part, chapter, or title; [~~and~~]

257 (g) merging or determining priority of any amendments, enactments, or repealers to the  
258 same code provisions that are passed by the Legislature;

259 (h) renumbering and rearranging of a title, chapter, part, section, or provisions of a  
260 section;

261 (i) transferring sections or dividing sections to assign separate sections numbers to  
262 distinct subject matters;

263 (j) modifying cross references to agree with renamed or renumbered titles, chapters,  
264 parts, or sections;

265 (k) substituting the proper section or chapter number for the terms "this act," "this bill,"  
266 or similar terms;

267 (l) substituting the proper calendar date in the database and in the Laws of Utah;

268 (m) modifying the highlighted provisions of legislation to correct an inconsistency  
269 between the highlighted provisions and the enacted provisions of the legislation;

270 (n) correcting the names of agencies, departments, and similar units of government;

271 (o) rearranging any misplaced statutory material, incorporating any omitted statutory  
272 material, and correcting other obvious errors of addition or omission;

273 (p) correcting or incorporating a special clause that was publicly available on the  
274 Legislature's website but is errantly omitted, modified, or retained during the legislative process  
275 due to obvious technological or human error, including;

- 276 (i) a severability clause;  
 277 (ii) an effective date clause;  
 278 (iii) a retrospective operation clause;  
 279 (iv) an uncodified repeal date clause;  
 280 (v) a revisor instruction clause; or  
 281 (vi) a coordination clause;  
 282 (q) correcting the incorporation of an amendment due to obvious technological or  
 283 human error; and  
 284 (r) alphabetizing definition sections.

285 ~~[(4)]~~ (5) In carrying out the duties provided for in this section, the director of the Office  
 286 of Legislative Research and General Counsel may obtain access to all records, documents, and  
 287 reports necessary to the scope of the director's duties according to the procedures contained in  
 288 ~~[Title 36, Chapter 14, Legislative Subpoena Powers]~~ Chapter 14, Legislative Subpoena Powers.

289 ~~[(5)]~~ (6) In organizing the management of the Office of Legislative Research and  
 290 General Counsel, the Legislative Management Committee may either:

291 (a) select a person to serve as both the director of the office and as general counsel. In  
 292 such case, the director of the office shall be a lawyer admitted to practice in Utah and shall  
 293 have practical management experience or equivalent academic training; or

294 (b) select a person to serve as director of the office who would have general  
 295 supervisory authority and select another person to serve as the legislative general counsel  
 296 within the office. In such case, the director of the office shall have a master's degree in public  
 297 or business administration, economics, or the equivalent in academic or practical experience  
 298 and the legislative general counsel shall be a lawyer admitted to practice in Utah.

299 Section 5. Section **36-12-15** is amended to read:

300 **36-12-15. Office of the Legislative Auditor General established -- Qualifications --**  
 301 **Powers, functions, and duties -- Reporting -- Criminal penalty -- Employment.**

302 (1) There is created ~~[an]~~ the Office of the Legislative Auditor General as a permanent  
 303 staff office for the Legislature.

304 (2) The legislative auditor general shall be a licensed certified public accountant or  
 305 certified internal auditor with at least ~~[five]~~ seven years of experience in the auditing or public  
 306 accounting profession, or the equivalent, prior to appointment.

307 (3) The legislative auditor general shall appoint and develop a professional staff within  
308 budget limitations.

309 (4) ~~[(a)]~~ The Office of the Legislative Auditor General shall exercise the constitutional  
310 authority provided in Article VI, ~~[Sec.]~~ Section 33, Utah Constitution.

311 ~~[(b)]~~ (5) Under the direction of the legislative auditor general, the ~~[office]~~ Office of the  
312 Legislative Auditor General shall:

313 ~~[(i)]~~ (a) conduct comprehensive and special purpose audits, examinations, ~~[and]~~  
314 investigations, or reviews of [any entity that receives public funds];

315 (i) any funds, functions, or accounts in a state entity, branch, department, agency, or  
316 political subdivision; or

317 (ii) any entity that receives public funds;

318 ~~[(ii)]~~ (b) prepare and submit a written report on each audit, examination, investigation,  
319 or review to the ~~[Legislative Management Committee, the audit subcommittee,]~~ Audit  
320 Subcommittee created in Section 36-12-8 and make the report available to all members of the  
321 Legislature within 75 days after the audit ~~[or]~~, investigation, or review is  
322 completed; ~~[and]~~

323 ~~[(iii)]~~ (c) monitor ~~[and]~~, conduct a risk assessment of, or audit any efficiency  
324 evaluations that the legislative auditor general determines necessary, in accordance with Title  
325 63J, Chapter 1, Part 9, Government Performance Reporting and Efficiency Process, and  
326 legislative rule[-];

327 (d) create, manage, and report to the Audit Subcommittee a list of high risk programs  
328 and operations that:

329 (i) threaten public funds or programs;

330 (ii) are vulnerable to inefficiency, waste, fraud, abuse, or mismanagement; or

331 (iii) require transformation;

332 (e) monitor and report to the Audit Subcommittee the health of a state entity's,  
333 branch's, department's, agency's, or political subdivision's internal audit functions;

334 (f) make recommendations to increase the independence and value added of internal  
335 audit functions throughout the state;

336 (g) implement a process to track, monitor, and report whether the subject of an audit  
337 has implemented recommendations made in the audit report;

338 (h) establish, train, and maintain a team of individuals within the office to conduct  
339 investigations and represent themselves as lawful investigators;

340 (i) establish policies, procedures, methods, and standards of audit work and  
341 investigations for the office and staff;

342 (j) prepare and submit each audit and investigative report without interference from  
343 any source relative to the content of the report, the conclusions reached in the report, or the  
344 manner of disclosing the results of the legislative auditor general's findings;

345 (k) prepare and submit the annual budget request for the office; and

346 (l) perform other duties as prescribed by the Legislature.

347 ~~[(5)]~~ (6) ~~[The]~~ In conducting an audit, examination, investigation, or review of any  
348 entity ~~[that receives public funds may include a]~~, the Office of the Legislative Auditor General  
349 may include a determination of any or all of the following:

350 (a) the honesty and integrity of ~~[all]~~ any of the entity's fiscal affairs;

351 (b) the accuracy and reliability of the entity's ~~[financial]~~ internal control systems and  
352 specific financial statements and reports;

353 (c) whether or not the entity's financial controls are adequate and effective to properly  
354 record and safeguard ~~[its]~~ the entity's acquisition, custody, use, and accounting of public funds;

355 (d) whether ~~[or not]~~ the entity's administrators have ~~[faithfully adhered to]~~ complied  
356 with legislative intent;

357 (e) whether ~~[or not]~~ the entity's operations have been conducted in an efficient,  
358 effective, and cost efficient manner;

359 (f) whether ~~[or not]~~ the entity's programs have been effective in accomplishing  
360 intended objectives; and

361 (g) whether ~~[or not]~~ the entity's management control and information systems are  
362 adequate and effective.

363 ~~[(6) The Office of the Legislative Auditor General:]~~

364 ~~[(a) (i) shall, notwithstanding any other provision of law, have access to all records,~~  
365 ~~documents, and reports of any entity that receives public funds that are necessary to the scope~~  
366 ~~of the duties of the legislative auditor general or the office; and]~~

367 ~~[(ii) may issue a subpoena to obtain access as provided in Subsection (6)(a)(i) using the~~  
368 ~~procedures contained in Title 36, Chapter 14, Legislative Subpoena Powers;]~~

369 ~~[(b) establish policies, procedures, methods, and standards of audit work for the office~~  
370 ~~and staff;]~~

371 ~~[(c) prepare and submit each audit report without interference from any source relative~~  
372 ~~to the content of the report, the conclusions reached in the report, or the manner of disclosing~~  
373 ~~the results of the legislative auditor general's findings; and]~~

374 ~~[(d) prepare and submit the annual budget request for the office.]~~

375 (7) When requested by the Office of the Legislative Auditor General, each entity that  
376 the legislative auditor general is authorized to audit under Utah Constitution, Article VI,  
377 Section 33, shall, notwithstanding any other provision of law, provide the office with  
378 immediate access to information, materials, or resources the office determines is necessary to  
379 conduct an audit, examination, investigation, or review, including:

380 (a) the following in the possession or custody of the entity in the format identified by  
381 the office:

382 (i) a record, document, and report; and

383 (ii) films, tapes, recordings, and electronically stored information;

384 (b) entity personnel;

385 (c) open and closed meetings conducted by the entity; and

386 (d) each official or unofficial recording of formal or informal meetings or  
387 conversations to which the entity has access.

388 (8) The legislative auditor general may issue a subpoena to a financial institution or  
389 any other entity to obtain information as part of an investigation of fraud, waste, or abuse,  
390 including any suspected malfeasance, misfeasance, or nonfeasance involving public funds.

391 (9) To preserve the professional integrity and independence of the office:

392 (a) no legislator or public official may urge the appointment of any person to the office;  
393 and

394 (b) the legislative auditor general may not be appointed to serve on any board,  
395 authority, commission, or other agency of the state during the legislative auditor general's term  
396 as legislative auditor general.

397 ~~[(8)]~~ (10) (a) The following records in the custody or control of the legislative auditor  
398 general ~~[shall be]~~ are protected records under Title 63G, Chapter 2, Government Records  
399 Access and Management Act:

400 ~~[(a)]~~ (i) ~~[Records that would]~~ records and audit work papers that would disclose  
401 information relating to allegations of personal misconduct, gross mismanagement, or illegal  
402 activity of a past or present governmental employee if the information or allegation cannot be  
403 corroborated by the legislative auditor general through other documents or evidence, and the  
404 records relating to the allegation are not relied upon by the legislative auditor general in  
405 preparing a final audit report[-];

406 ~~[(b)]~~ (ii) ~~[Records]~~ records and audit workpapers ~~[to the extent they]~~ that would  
407 disclose the identity of a person who, during the course of a legislative audit, communicated  
408 the existence of ~~[any]~~:

409 (A) unethical behavior;

410 (B) waste of public funds, property, or [manpower,] personnel; or

411 (C) a violation or suspected violation of a United States, Utah state, or political  
412 subdivision law, rule, ordinance, or regulation [adopted under the laws of this state, a political  
413 subdivision of the state, or any recognized entity of the United States, if the information was],  
414 if the person disclosed on the condition that the identity of the person be protected[-];

415 ~~[(c)]~~ (iii) ~~[Prior to the time that]~~ before an audit is completed and the final audit report  
416 is released, records or drafts circulated to a person who is not an employee or head of a  
417 governmental entity for ~~[their]~~ review, response, or information[-];

418 ~~[(d)]~~ (iv) ~~[Records]~~ records that would disclose:

419 (A) an outline;

420 (B) all or part of ~~[any]~~ an audit survey ~~[plans]~~, audit risk assessment plan, or audit  
421 program[-]; or

422 (C) other procedural documents necessary to fulfill the duties of the office; and

423 ~~[(e)]~~ (v) ~~[Requests]~~ requests for audits, if disclosure would risk circumvention of an  
424 audit.

425 ~~[(f) The provisions of Subsections (8)(a), (b), and (c) do not prohibit the disclosure of~~  
426 ~~records or information that relate to a violation of the law by a governmental entity or~~  
427 ~~employee to a government prosecutor or peace officer.]~~

428 (b) The provisions of Subsection (10)(a) do not prohibit the disclosure of records or  
429 information to a government prosecutor or peace officer if those records or information relate  
430 to a violation of the law by a governmental entity, employee, or other recipient of public funds.

431            ~~[(g)]~~ (c) The provisions of this section do not limit the authority otherwise given to the  
432 legislative auditor general to classify a document as public, private, controlled, or protected  
433 under Title 63G, Chapter 2, Government Records Access and Management Act.

434            ~~[(9)]~~ (11) The legislative auditor general shall:

435            (a) be available to the Legislature and to the Legislature's committees for consultation  
436 on matters relevant to areas of the legislative auditor general's professional competence;

437            (b) conduct special audits as requested by the ~~[Legislative Management Committee]~~  
438 Audit Subcommittee;

439            (c) report immediately ~~[in writing to the Legislative Management Committee through~~  
440 ~~its audit subcommittee]~~ to the Audit Subcommittee any apparent violation of penal statutes  
441 disclosed by the audit of a state agency and furnish to the ~~[Legislative Management~~  
442 ~~Committee]~~ Audit Subcommittee all information relative to the apparent violation;

443            (d) report immediately ~~[in writing to the Legislative Management Committee through~~  
444 ~~its audit subcommittee]~~ to the Audit Subcommittee any apparent instances of malfeasance or  
445 nonfeasance by a state officer or employee disclosed by the audit of a state agency; and

446            (e) make any recommendations to the ~~[Legislative Management Committee through its~~  
447 ~~audit subcommittee]~~ Audit Subcommittee with respect to the alteration or improvement of the  
448 accounting system used by any entity that receives public funds.

449            ~~[(10)]~~ (12) If the legislative auditor general conducts an audit of a state agency that has  
450 previously been audited and finds that the state agency has not implemented a recommendation  
451 made by the legislative auditor general in a previous audit, the legislative auditor general shall,  
452 upon release of the audit:

453            (a) report immediately ~~[in writing to the Legislative Management Committee through~~  
454 ~~its audit subcommittee]~~ to the Audit Subcommittee that the state agency has not implemented  
455 that recommendation; and

456            (b) shall report, as soon as possible, that the state agency has not implemented that  
457 recommendation to ~~[a meeting of]~~ an appropriate legislative committee designated by the  
458 ~~[audit subcommittee of the Legislative Management Committee]~~ Audit Subcommittee.

459            ~~[(11)(a)]~~ Prior to each annual general session, the legislative auditor general shall  
460 prepare a summary of the audits conducted and of actions taken based upon them during the  
461 preceding year.]

462 ~~[(b) This report shall also set forth any items and recommendations that are important~~  
463 ~~for consideration in the forthcoming session, together with a brief statement or rationale for~~  
464 ~~each item or recommendation.]~~

465 ~~[(c) The legislative auditor general shall deliver the report to the Legislature and to the~~  
466 ~~appropriate committees of the Legislature.]~~

467 (13) Before each annual general session, the legislative auditor general shall:

468 (a) prepare an annual report that:

469 (i) summarizes the audits, examinations, investigations, and reviews conducted by the  
470 office since the last annual report; and

471 (ii) evaluate and report the degree to which an agency that has been the subject of an  
472 audit has implemented the audit recommendations;

473 (b) include in the report any items and recommendations that the legislative auditor  
474 general believes the Legislature should consider in the annual general session; and

475 (c) deliver the report to the Legislature and to the appropriate committees of the  
476 Legislature.

477 ~~[(12)(a) No person or entity may:]~~

478 ~~[(i) interfere with a legislative audit, examination, or review of any entity conducted by~~  
479 ~~the office; or]~~

480 ~~[(ii) interfere with the office relative to the content of the report, the conclusions~~  
481 ~~reached in the report, or the manner of disclosing the results and findings of the office.]~~

482 ~~[(b) Any person or entity that violates the provisions of this Subsection (12) is guilty of~~  
483 ~~a class B misdemeanor.]~~

484 ~~[(13)]~~ (14) (a) (i) If the managing administrator of an entity described in Subsection  
485 (5)(a) has actual knowledge or reasonable cause to believe that there is misappropriation of the  
486 entity's public funds or assets, the managing administrator shall immediately notify, in writing,  
487 the Office of the Legislative Auditor General and the attorney general or district attorney.

488 (ii) The managing administrator described in Subsection (14)(a)(i) is subject to the  
489 protections of Title 67, Chapter 21, Utah Protection of Public Employees Act.

490 (b) If the Office of the Legislative Auditor General receives a notification under  
491 Subsection (14)(a)(i) or other information of misappropriation of public funds or assets of an  
492 entity described in Subsection (5)(a), the office shall inform the Audit Subcommittee.



493 (c) The attorney general or district attorney shall no later than 60 days after receiving  
494 the notification under Subsection (14)(a)(i), notify, in writing, the Office of the Legislative  
495 Auditor General whether the attorney general or district attorney pursued criminal or civil  
496 sanctions in the matter.

497 (d) If the attorney general or district attorney does not pursue criminal or civil  
498 sanctions, the attorney general or district attorney shall provide in the notice under Subsection  
499 (14)(c) a detailed explanation for the attorney general's or district attorney's decision.

500 (15) (a) An actor commits interference with a legislative audit if the actor interferes  
501 with:

502 (i) a legislative audit, examination, investigation, or review of an entity conducted by  
503 the Office of the Legislative Auditor General; or

504 (ii) the Office of the Legislative Auditor General's decisions relating to:

505 (A) the content of the office's report;

506 (B) the conclusions reached in the office's report; or

507 (C) the manner of disclosing the results and findings of the office.

508 (b) A violation of Subsection (15)(a) is a class B misdemeanor.

509 (c) The legislative auditor general shall immediately report a violation of Subsection  
510 (15)(a) to the attorney general, United States attorney's office, or both for review and potential  
511 prosecution.

512 (16) (a) Beginning July 1, 2020, the Office of the Legislative Auditor General may  
513 require any current employee, or any applicant for employment, to submit to a  
514 fingerprint-based local, regional, and criminal history background check as an ongoing  
515 condition of employment.

516 (b) An employee or applicant for employment shall provide a completed fingerprint  
517 card to the office upon request.

518 (c) The [office] Office of the Legislative Auditor General shall require that an  
519 individual required to submit to a background check under this [subsection] Subsection (16)  
520 also provide a signed waiver on a form provided by the office that meets the requirements of  
521 Subsection 53-10-108(4).

522 ~~(c)~~ (d) For a noncriminal justice background search and registration in accordance  
523 with Subsection 53-10-108(13), the office shall submit to the Bureau of Criminal

524 Identification:

525 (i) the employee's or applicant's personal identifying information and fingerprints for a  
526 criminal history search of applicable local, regional, and national databases; and

527 (ii) a request for all information received as a result of the local, regional, and  
528 nationwide background check.

529 Section 6. Section **36-12-15.1** is amended to read:

530 **36-12-15.1. Systemic performance audits.**

531 (1) As used in this section, "entity" means:

532 (a) an entity in the executive branch that receives an ongoing line item appropriation in  
533 an appropriations act; and

534 (b) any local education agency, as defined in Section [53E-1-102](#), that receives public  
535 funds.

536 (2) (a) Each year, subject to the availability of work capacity and the discretion of the  
537 ~~[Legislative] Audit [Committee] Subcommittee~~ created in Section [36-12-8](#), the Office of the  
538 Legislative Auditor General may, in addition to other audits performed by the office, perform:

539 (i) ~~[an] a systemic performance~~ audit of one or more executive branch ~~[entity's~~  
540 ~~appropriations] entities~~; and

541 (ii) ~~[an] a systemic performance~~ audit of one or more local education ~~[agency's~~  
542 ~~appropriations] agencies~~.

543 (b) An audit performed ~~[pursuant to]~~ under Subsection (2)(a) shall, as is appropriate for  
544 each individual audit:

545 (i) evaluate the extent to which the entity has efficiently and effectively used the  
546 appropriation by identifying:

547 (A) the entity's appropriation history;

548 (B) the entity's spending and efficiency history; and

549 (C) historic trends in the entity's operational performance effectiveness;

550 (ii) evaluate whether the entity's size and operation are commensurate with the entity's  
551 spending history;

552 (iii) evaluate whether the entity is diligent in its stewardship of ~~[state]~~ resources;

553 (iv) provide ~~[an in-depth analysis review]~~ a systemic performance audit of the entity's  
554 operations performance improvements;

555 (v) if possible, incorporate the audit methodology of other audits performed by the  
556 Office of the Legislative Auditor General; and

557 (vi) be conducted according to the process established for the Audit Subcommittee  
558 [~~created in Section 36-12-8~~].

559 (c) After releasing an audit report [~~pursuant to~~] under Subsection (2)(a), the Audit  
560 Subcommittee shall make the audit report available to:

561 (i) each member of the Senate and the House of Representatives; and

562 (ii) the governor or the governor's designee.

563 (d) The Office of the Legislative Auditor General shall:

564 (i) summarize the findings of an audit described in Subsection (2)(a) [in:]; and

565 [~~(i) a unique section of the legislative auditor general's annual report; and]~~

566 [~~(ii) a format that the legislative fiscal analyst may use in preparation of the annual~~  
567 ~~appropriations no later than 30 days before the day on which the Legislature convenes]~~

568 (ii) provide a copy of each audit report and the annual report to the legislative fiscal  
569 analyst and director of the Office of Legislative Research and General Counsel as soon as each  
570 report is completed.

571 (3) The Office of the Legislative Auditor General [~~shall~~] may consult with the  
572 [~~legislative fiscal analyst~~] Office of the Legislative Fiscal Analyst or the Office of Legislative  
573 Research and General Counsel in preparing the summary required by Subsection (2)(d).

574 (4) The Legislature, in evaluating an entity's request for an increase in its base budget,  
575 shall:

576 (a) review the audit report required by this section and any relevant audits; and

577 (b) consider the entity's request for an increase in its base budget in light of the entity's  
578 prior history of savings and efficiencies as evidenced by the audit report required by this  
579 section.

580 Section 7. Section **36-14-2** is amended to read:

581 **36-14-2. Issuers.**

582 (1) Any of the following persons is an issuer, who may issue legislative subpoenas by  
583 following the procedures set forth in this chapter:

584 (a) the speaker of the House of Representatives;

585 (b) the president of the Senate;

- 586 (c) a chair of any legislative standing committee;
- 587 (d) a chair of any legislative interim committee;
- 588 (e) a chair of any special committee established by the Legislative Management
- 589 Committee, the speaker of the House of Representatives, or the president of the Senate;
- 590 (f) a chair of any subcommittee of the Legislative Management Committee;
- 591 (g) a chair of a special investigative committee;
- 592 (h) a chair of a Senate or House Ethics Committee;
- 593 (i) a chair of the Executive Appropriations Committee as created in [JR3-2-401](#);
- 594 (j) a chair of an appropriations subcommittee as created in [JR3-2-302](#);
- 595 (k) the director of the Office of Legislative Research and General Counsel;
- 596 (l) the legislative auditor general;
- 597 (m) the [~~director of the Office of Legislative Fiscal Analyst~~] legislative fiscal analyst;
- 598 and
- 599 (n) the legislative general counsel.

600 (2) A legislative body, a legislative office, an issuer, or a legislative staff member  
 601 designated by an issuer may:

- 602 (a) administer an oath or affirmation; and
- 603 (b) take evidence, including testimony.

604 Section 8. Section **36-14-4** is amended to read:

605 **36-14-4. Service.**

606 Legislative subpoenas may be served:

607 (1) within the state, by the sheriff of the county where service is made, or by his  
 608 deputy, or by any other person 18 years old or older who is not a member of the entity issuing  
 609 the subpoena;

610 (2) in another state or United States territory, by the sheriff of the county where the  
 611 service is made, or by his deputy, or by a United States marshal or his deputy;

612 (3) in a foreign country:

- 613 (a) by following the procedures prescribed by the law of the foreign country;
- 614 (b) upon an individual, by any person 18 years old or older who is not a member of the  
 615 entity delivering the subpoena to him personally, and upon a corporation or partnership or  
 616 association, by any person 18 years old or older who is not a member of the entity delivering

617 the subpoena to an officer, a managing or general agent of the corporation, partnership, or  
618 association; or

619 (c) by any form of mail requiring a signed receipt, to be addressed and dispatched by  
620 the legislative general counsel to the party to be served[-]; or

621 (4) by electronic transmission requiring acknowledgment of receipt.

622 Section 9. Section **36-14-5** is amended to read:

623 **36-14-5. Legislative subpoenas -- Enforcement.**

624 (1) If any person disobeys or fails to comply with a legislative subpoena, or if a person  
625 appears pursuant to a subpoena and refuses to testify to a matter upon which the person may be  
626 lawfully interrogated, that person is in contempt of the Legislature.

627 (2) (a) When the subject of a legislative subpoena disobeys or fails to comply with the  
628 legislative subpoena, or if a person appears pursuant to a subpoena and refuses to testify to a  
629 matter upon which the person may be lawfully interrogated, the issuer may:

630 (i) file a motion for an order to compel obedience to the subpoena with the district  
631 court;

632 (ii) file, with the district court, a motion for an order to show cause why the penalties  
633 established in Title 78B, Chapter 6, Part 3, Contempt, should not be imposed upon the person  
634 named in the subpoena for contempt of the Legislature; or

635 (iii) pursue other remedies against persons in contempt of the Legislature.

636 (b) (i) Upon receipt of a motion under this subsection, the court shall expedite the  
637 hearing and decision on the motion.

638 (ii) A court may:

639 (A) order the person named in the subpoena to comply with the subpoena; and

640 (B) impose any penalties authorized by Title 78B, Chapter 6, Part 3, Contempt, upon  
641 the person named in the subpoena for contempt [~~of the Legislature~~].

642 (3) (a) If a legislative subpoena requires the production of accounts, books, papers,  
643 documents, electronically stored information, or tangible things, the person or entity to whom  
644 [it] the subpoena is directed may petition a district court to quash or modify the subpoena at or  
645 before the time specified in the subpoena for compliance.

646 (b) An issuer may respond to a motion to quash or modify the subpoena by pursuing  
647 any remedy authorized by Subsection (2).

648 (c) If the court finds that a legislative subpoena requiring the production of accounts,  
649 books, papers, documents, electronically stored information, or tangible things is unreasonable  
650 or oppressive, the court may quash or modify the subpoena.

651 (4) Nothing in this section prevents an issuer from seeking an extraordinary writ to  
652 remedy contempt of the Legislature.

653 (5) Any party aggrieved by a decision of a court under this section may appeal that  
654 action directly to the Utah Supreme Court.

655 Section 10. Section **53B-7-708** is amended to read:

656 **53B-7-708. Legislative audit.**

657 (1) Subject to prioritization of the Audit Subcommittee, the Office of the Legislative  
658 Auditor General established under Section [36-12-15](#) shall in any fiscal year:

659 (a) conduct an audit of money appropriated for performance funding; and

660 (b) prepare and submit a written report for an audit described in this section in  
661 accordance with Subsection [~~[36-12-15\(4\)\(b\)\(ii\)](#)~~] [36-12-15\(5\)\(b\)](#).

662 (2) An audit described in this section shall include:

663 (a) an evaluation of the implementation of performance funding; and

664 (b) the use of performance funding.

665 Section 11. Section **53B-33-301** is amended to read:

666 **53B-33-301. Data research program.**

667 (1) The center shall establish a data research program for the purpose of analyzing data  
668 that is:

669 (a) collected over time;

670 (b) aggregated from multiple sources; and

671 (c) connected and de-identified.

672 (2) The center may, in order to establish the data research program described in  
673 Subsection (1):

674 (a) acquire property or equipment in order to store aggregated, connected, and  
675 de-identified data derived from data contributed by the participating entities; or

676 (b) contract with a private entity in accordance with Title 63G, Chapter 6a, Utah  
677 Procurement Code, or with a state government entity to:

678 (i) store aggregated, connected, and de-identified data derived from data contributed by

679 the participating entities; or

680 (ii) utilize existing aggregated, connected, and de-identified data maintained by a state  
681 government entity.

682 (3) A participating entity shall contribute data to the data research program described in  
683 Subsection (1) within guidelines established by the center.

684 (4) The center may only release data maintained by the center in accordance with the  
685 procedures described in this chapter.

686 (5) The center shall:

687 (a) as directed by the board, serve as a repository in the state of data from institutions  
688 of higher education;

689 (b) collaborate with the board and the State Board of Education to coordinate access to  
690 the unique student identifier of a public education student who later attends an institution of  
691 higher education in accordance with Sections [53B-1-109](#) and [53E-4-308](#);

692 (c) develop, establish, and maintain programs that promote access to data from  
693 institutions of higher education;

694 (d) identify initiatives that leverage education data that will improve a state citizen's  
695 ability to:

696 (i) access services at an institution of higher education; or

697 (ii) graduate with a postsecondary certificate or degree; and

698 (e) perform all other duties provided in this chapter.

699 (6) The director shall identify the resources necessary to successfully implement  
700 initiatives described in Subsection (5)(d), in accordance with Section [53B-7-101](#).

701 (7) The center may:

702 (a) employ staff necessary to carry out the center's duties;

703 (b) purchase, own, create, or maintain equipment necessary to:

704 (i) collect data from the participating entities;

705 (ii) connect and de-identify data collected by the center;

706 (iii) store connected and de-identified data; or

707 (iv) conduct research on data stored or obtained by the center; or

708 (c) contract with a private entity, another state or federal entity, or a political  
709 subdivision of the state to carry out the center's duties as provided in this chapter.

710 (8) The data research program is not subject to Title 63G, Chapter 2, Government  
711 Records Access and Management Act.

712 (9) The center:

713 (a) shall, upon request by the Office of the Legislative Auditor General, provide direct  
714 access to all records, data, and other materials in possession of the center; and

715 (b) is otherwise subject to the authority of the legislative auditor general in accordance  
716 with Utah Constitution, Article VI, Section 33, and Section [36-12-15](#).

717 Section 12. Section **63E-2-104** is amended to read:

718 **63E-2-104. Legislative review.**

719 (1) Each independent corporation is subject to:

720 (a) review by the Retirement and Independent Entities Committee in accordance with  
721 Chapter 1, Independent Entities Act; and

722 (b) the authority of the legislative auditor general in accordance with Utah  
723 Constitution, Article VI, Section 33, and Section [36-12-15](#).

724 [~~(2) Notwithstanding Section [36-12-15](#), the Office of Legislative Auditor General may~~  
725 ~~conduct comprehensive and special purpose audits, examinations, and reviews of any~~  
726 ~~independent corporation.]~~

727 [~~(3)~~ (2) Each independent corporation shall report, as requested, to the committee on  
728 matters related to audits.

729 Section 13. Section **63I-2-253** is amended to read:

730 **63I-2-253. Repeal dates: Titles 53 through 53G.**

731 [~~(1)(a) Subsection [53B-2a-108\(5\)](#), regarding exceptions to the composition of a~~  
732 ~~technical college board of trustees, is repealed July 1, 2022.]~~

733 [~~(b) When repealing Subsection [53B-2a-108\(5\)](#), the Office of Legislative Research and~~  
734 ~~General Counsel shall, in addition to its authority under Subsection [36-12-12\(3\)](#), make~~  
735 ~~necessary changes to subsection numbering and cross references.]~~

736 [~~(2)~~ (1) Section [53B-6-105.7](#) is repealed July 1, 2024.

737 [~~(3)~~ (2) Section [53B-7-707](#) regarding performance metrics for technical colleges is  
738 repealed July 1, 2023.

739 [~~(4)~~ (3) Section [53B-8-114](#) is repealed July 1, 2024.

740 [~~(5)~~ (4) The following provisions, regarding the Regents' scholarship program, are



741 repealed on July 1, 2023:

742 (a) in Subsection 53B-8-105(12), the language that states, "or any scholarship  
743 established under Sections 53B-8-202 through 53B-8-205";

744 (b) Section 53B-8-202;

745 (c) Section 53B-8-203;

746 (d) Section 53B-8-204; and

747 (e) Section 53B-8-205.

748 ~~[(6)]~~ (5) Section 53B-10-101 is repealed on July 1, 2027.

749 ~~[(7)]~~ (6) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is  
750 repealed July 1, 2023.

751 ~~[(8)]~~ (7) Subsection 53E-1-201(1)(s) regarding the report by the Educational  
752 Interpretation and Translation Services Procurement Advisory Council is repealed July 1, 2024.

753 ~~[(9)]~~ (8) Section 53E-1-202.2, regarding a Public Education Appropriations  
754 Subcommittee evaluation and recommendations, is repealed January 1, 2024.

755 ~~[(10)]~~ (9) Subsection 53E-10-309(7), related to the PRIME pilot program, is repealed  
756 July 1, 2024.

757 ~~[(11)]~~ (10) In Subsections 53F-2-205(4) and (5), regarding the State Board of  
758 Education's duties if contributions from the minimum basic tax rate are overestimated or  
759 underestimated, the language that states "or 53F-2-301.5, as applicable" is repealed July 1,  
760 2023.

761 ~~[(12)]~~ (11) Section 53F-2-209, regarding local education agency budgetary flexibility,  
762 is repealed July 1, 2024.

763 ~~[(13)]~~ (12) Subsection 53F-2-301(1), relating to the years the section is not in effect, is  
764 repealed July 1, 2023.

765 ~~[(14)]~~ (13) Section 53F-2-302.1, regarding the Enrollment Growth Contingency  
766 Program, is repealed July 1, 2023.

767 ~~[(15)]~~ (14) Subsection 53F-2-314(4), relating to a one-time expenditure between the  
768 at-risk WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.

769 ~~[(16)]~~ (15) Section 53F-2-524, regarding teacher bonuses for extra work assignments,  
770 is repealed July 1, 2024.

771 ~~[(17)]~~ (16) In Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as

772 applicable" is repealed July 1, 2023.

773 ~~[(18) Subsection 53F-4-401(3)(b), regarding a child enrolled or eligible for enrollment~~  
774 ~~in kindergarten, is repealed July 1, 2022.]~~

775 ~~[(19) In Subsection 53F-4-404(4)(c), the language that states "Except as provided in~~  
776 ~~Subsection (4)(d)" is repealed July 1, 2022.]~~

777 ~~[(20) Subsection 53F-4-404(4)(d) is repealed July 1, 2022.]~~

778 ~~[(21)]~~ (17) In Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as  
779 applicable" is repealed July 1, 2023.

780 [(22)] (18) In Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as  
781 applicable" is repealed July 1, 2023.

782 [(23)] (19) In Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as  
783 applicable" is repealed July 1, 2023.

784 [(24)] (20) In Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5,  
785 as applicable" is repealed July 1, 2023.

786 [(25)] (21) On July 1, 2023, when making changes in this section, the Office of  
787 Legislative Research and General Counsel shall, in addition to the office's authority under  
788 ~~[Subsection 36-12-12(3)]~~ Section 36-12-12, make corrections necessary to ensure that sections  
789 and subsections identified in this section are complete sentences and accurately reflect the  
790 office's perception of the Legislature's intent.

791 Section 14. Section 68-3-13 is amended to read:

792 **68-3-13. Printing boldface in numbered bills -- Purpose -- Effect -- Power of**  
793 **Office of Legislative Research and General Counsel to change.**

794 A short summary of each section, part, chapter, or title, called boldface, may be printed  
795 in numbered bills introduced in the Legislature. This boldface is not law; it is intended only to  
796 highlight the content of each section, part, chapter, or title for legislators. Inaccurate boldface  
797 is not a basis for invalidating legislation. The Office of Legislative Research and General  
798 Counsel is authorized in Section 36-12-12 to change the boldface ~~[in the enrolling process]~~ so  
799 that it more accurately reflects the substance of each section, part, chapter, or title.

800 Section 15. **Effective date.**

801 If approved by two-thirds of all the members elected to each house, this bill takes effect  
802 upon approval by the governor, or the day following the constitutional time limit of Utah

803 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,  
804 the date of veto override.