

1

JOINT RULES RESOLUTION - AGENCY FEES

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kay J. Christofferson

Senate Sponsor: Chris H. Wilson

2

3 **LONG TITLE**

4 **General Description:**

5 This joint rules resolution addresses the review of agency fees.

6 **Highlighted Provisions:**

7 This resolution:

8 ▶ defines terms;

9 ▶ requires an appropriations subcommittee to review agency fees during an accountable

10 budget process; and

11 ▶ makes technical and conforming changes.

12 **Other Special Clauses:**

13 None

14 **Legislative Rules Affected:**

15 AMENDS:

16 **JR3-2-101**

17 **JR3-2-501**

18

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

20 Section 1. **JR3-2-101** is amended to read:

21 **JR3-2-101 . Definitions.**

22 As used in this chapter:

23 (1) "Accountable process budget" means a budget that is created by starting from zero and
24 adding line items and programs recommended through an accountable budget process.

25 (2) "Accountable budget process" means a review of a line item or program in a simple
26 base budget to determine whether or the extent to which to recommend the line item or
27 program be included in a budget for the upcoming fiscal year.

28 (3) "Base budget" means:

- 29 (a) an accountable process budget; or
- 30 (b) for a line item or program that was not the subject of an accountable process budget
- 31 analysis during the immediately preceding interim, a simple base budget.
- 32 (4) "Chair" means:
- 33 (a) the chair of an appropriations subcommittee or the Executive Appropriations
- 34 Committee; or
- 35 (b) a member of a joint appropriations subcommittee or the Executive Appropriations
- 36 Committee member who is authorized to act as chair under JR3-2-303.
- 37 (5) "Committee" means a joint appropriations subcommittee or the Executive
- 38 Appropriations Committee.
- 39 (6) "Fee agency" means the same as that term is defined in Utah Code Section 63J-1-504.
- 40 (7) "Fee schedule" means the same as that term is defined in Utah Code Section 63J-1-504.
- 41 ~~(6)~~ (8) "Majority vote" means a majority of a quorum as provided in JR3-2-404.
- 42 ~~(7)~~ (9) "Original motion" means a non-privileged motion that is accepted by the chair
- 43 when no other motion is pending.
- 44 ~~(8)~~ (10) "Pending motion" refers to a motion starting when a chair accepts a motion and
- 45 ending when the motion is withdrawn or when the chair calls for a vote on the motion.
- 46 ~~(9)~~ (11) (a) "Privileged motion" means a procedural motion to adjourn, set a time to
- 47 adjourn, recess, end debate, extend debate, or limit debate.
- 48 (b) "Privileged motions" are not substitute motions.
- 49 ~~(10)~~ (12) (a) "Proposed budget item" means any funding item under consideration for
- 50 inclusion in an appropriations bill.
- 51 (b) "Proposed budget item" includes a request for appropriation.
- 52 ~~(11)~~ (13) "Request for appropriation" means a legislator request to:
- 53 (a) obtain funding for a project or program that has not previously been funded;
- 54 (b) significantly expand funding for an existing project or program; or
- 55 (c) obtain separate funding for a project or program.
- 56 ~~(12)~~ (14) (a) "Simple base budget" means amounts appropriated by the Legislature for
- 57 each line item for the current fiscal year that:
- 58 (i) are not designated as one-time in an appropriation, regardless of whether the
- 59 appropriation is covered by ongoing or one-time revenue sources; and
- 60 (ii) were not vetoed by the governor, unless the Legislature overrode the veto.
- 61 (b) "Simple base budget" includes:
- 62 (i) any changes to those amounts approved by the Executive Appropriations

63 Committee; and

64 (ii) amounts appropriated for debt service.

65 ~~[(13)]~~ (15) "Substitute motion" means a non-privileged motion that is made when a
66 non-privileged motion is pending.

67 ~~[(14)]~~ (16) "Under consideration" means the time starting when a chair opens a discussion
68 on a subject or an appropriations request that is listed on a committee agenda and ending
69 when the committee disposes of the subject or request, moves on to another item on the
70 agenda, or adjourns.

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

72 **JR3-2-501 . Meetings -- Accountable process budget creation -- Appropriations**
73 **and fee reviews.**

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

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

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

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

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

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

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

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

91 (iii) identify any opportunities to increase budgetary efficiencies.

92 (d) If a fee agency's budget is subject to review under Subsection (3)(c), an
93 appropriations subcommittee shall:

94 (i) review the fee agency's current fee schedule submitted under Utah Code Section
95 63J-1-504; and

96 (ii) consider and make recommendations regarding:

97 (A) the methods the fee agency uses to determine the amount of each fee; and

98 (B) the fee agency's estimated cost related to each fee.

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

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

108 Section 3. **Effective date.**

109 This resolution takes effect upon a successful vote for final passage.