

**JOINT RULES RESOLUTION FOR FISCAL NOTES ON
CRIMINAL PENALTY BILLS**

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kenneth W. Sumsion

Senate Sponsor: _____

LONG TITLE

General Description:

This joint resolution amends Joint Rule 4-2-403 regarding fiscal notes.

Highlighted Provisions:

This resolution:

▸ directs the Legislative Fiscal Analyst to ignore criminal penalties when creating a fiscal note for a bill.

Special Clauses:

None

Legislative Rules Affected:

AMENDS:

JR4-2-403

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

Section 1. **JR4-2-403** is amended to read:

JR4-2-403. Fiscal Notes.

(1) (a) (i) When the Legislative Fiscal Analyst receives the electronic copy of the approved legislation from the Office of Legislative Research and General Counsel, that office shall, within three legislative days:

(A) review and analyze the legislation to determine its fiscal impact; and



- 28 (B) provide a fiscal note to the sponsor of the legislation.
- 29 (ii) The three day deadline for the preparation of the fiscal note may be extended if the
30 Legislative Fiscal Analyst requests it, states the reasons for the delay, and informs the sponsor
31 of the legislation of the delay.
- 32 (b) If a bill contains or changes a criminal penalty, the Legislative Fiscal Analyst may
33 not consider the fiscal impact of a criminal penalty in the preparation of the fiscal note.
- 34 ~~(b)~~ (c) If the Legislative Fiscal Analyst determines that the legislation has no fiscal
35 impact, the Legislative Fiscal Analyst may release the fiscal note immediately after the sponsor
36 has received a copy of the fiscal note.
- 37 ~~(c)~~ (d) The sponsor may:
- 38 (i) approve the release of the fiscal note;
- 39 (ii) direct that the fiscal note be held; or
- 40 (iii) if the sponsor disagrees with the fiscal note, contact the Legislative Fiscal Analyst
41 to discuss that disagreement and provide evidence, data, or other information to support a
42 revised fiscal note.
- 43 ~~(d)~~ (e) If the sponsor does not contact the Legislative Fiscal Analyst with instructions
44 about the fiscal note within one 24 hour legislative day, the Legislative Fiscal Analyst shall
45 release the fiscal note.
- 46 ~~(e)~~ (f) The Legislative Fiscal Analyst shall make the final determination on the fiscal
47 note.
- 48 ~~(f)~~ (g) The fiscal note shall be printed with the legislation.
- 49 (2) If an amendment or a substitute to legislation appears to substantively change the
50 fiscal impact of the legislation, the Legislative Fiscal Analyst shall prepare an amended fiscal
51 note for the legislation.
- 52 (3) The fiscal note is not an official part of the legislation.

Legislative Review Note
as of 1-24-11 11:16 AM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.J.R. 22

SHORT TITLE: **Joint Rules Resolution for Fiscal Notes on Criminal Penalty Bills**

SPONSOR: **Sumsion, K.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.