

**Representative Ken Ivory** proposes the following substitute bill:

1 **LEGISLATIVE CAPACITY STUDY**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Ken Ivory**

5 Senate Sponsor: \_\_\_\_\_

6 **LONG TITLE**

7 **General Description:**

8 This bill requires the Legislature to conduct a study on legislative capacity and the  
9 duties and responsibilities of state legislators.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ requires a request for proposals to conduct a study to:

13     • assess and define the fundamental duties of state legislators and their  
14     constitutional role, duties, and responsibilities;

15     • assess the workload and capacity of legislators in their fundamental duties,  
16     including preparing, reviewing, and passing legislation; and

17     • to provide recommendations in order to facilitate legislators to better perform  
18     their fundamental duties and responsibilities within the legislative system;

19 ▶ requires the study to analyze current information and also to provide analysis  
20     projected into the future, assuming a continued increase in the population of the  
21     state;

22     ▶ requires the Legislative Management Committee to award a contract to an  
23     individual or entity to conduct the study; and

24     ▶ requires the conclusions of the study to be presented to the Legislature.



26 **Money Appropriated in this Bill:**

27        This bill appropriates in fiscal year 2019:

28        ▶ to the Legislature - Legislative Services, as a one-time appropriation:  
29            • from the General Fund, One-time \$20,000.30 **Other Special Clauses:**

31        This bill provides a special effective date.

32 **Utah Code Sections Affected:**

33 ENACTS:

34        **36-32-101**, Utah Code Annotated 195335        **36-32-103**, Utah Code Annotated 195336 

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37 *Be it enacted by the Legislature of the state of Utah:*38        Section 1. Section **36-32-101** is enacted to read:39            **CHAPTER 32. LEGISLATIVE CAPACITY STUDY**40        **36-32-101. Title.**41        This chapter is known as "Legislative Capacity Study."42        Section 2. Section **36-32-103** is enacted to read:43        **36-32-103. Legislative Capacity Study -- Requirements -- Reporting -- Funding.**44        (1) (a) The Legislature shall conduct a study to:45        (i) assess and define the fundamental duties of state legislators and their constitutional  
46 role, duties, and responsibilities, which shall include an analysis of Article I, Section 27 of the  
47 Utah Constitution, which provisions states "Frequent recurrence to fundamental principles is  
48 essential to the security of individual rights and the perpetuity of free government";49        (ii) assess the workload and capacity of the legislative system in supporting legislators  
50 in their fundamental duties, including preparing, reviewing, and passing legislation, and the  
51 capacities of legislative staff and legislators working within the system;52        (iii) provide recommendations to the Legislature to facilitate legislators in the efficient  
53 and effective fulfillment of their fundamental duties and responsibilities within the legislative  
54 system, including both actions to undertake and actions to refrain from; and55        (iv) any other requirements or findings approved by the Legislative Management  
56 Committee.

57       (b) The study shall address and evaluate the items in Subsection (1)(a) as they exist  
58 currently, and also projected into the future, assuming a continued increase in the population of  
59 the state.

60       (c) The study shall provide, in detail, the methods and data used to arrive at the  
61 findings and recommendations resulting from the study.

62       (2) (a) The Legislative Management Committee shall, in accordance with the  
63 requirements of Title 63G, Chapter 6a, Utah Procurement Code, issue a contract to an entity or  
64 individual to conduct the study authorized under this section using standard procurement  
65 procedures and best value procurement.

66       (3) The entity or individual conducting the study shall:

67       (a) complete the study no later than ~~H→ [November] September~~ ~~1, 2019~~;

68       (b) present the findings of the study to the Legislative Management Committee ~~H→~~,

68a       Legislative Process Committee, ~~H~~ and the

69       Government Operations Committee no later than ~~H→ [November] September~~ ~~30, 2019~~; and

70       (c) provide to the committees written findings and a written analysis of the methods  
71 and data used in the survey as part of their verbal presentation.

72       (4) The total cost of conducting and presenting the study shall not exceed the amount  
73 appropriated in the bill authorizing the study.

74       Section 3. **Appropriation.**

75       The following sums of money are appropriated for the fiscal year beginning July 1,  
76 2018, and ending June 30, 2019. These are additions to amounts previously appropriated for  
77 fiscal year 2019. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
78 Act, the Legislature appropriates the following sums of money from the funds or accounts  
79 indicated for the use and support of the government of the state of Utah.

80       ITEM 1

81       To Legislature - Legislative Services

82       From General Fund, One-time \$20,000

83       Schedule of Programs:

84       Administration \$20,000

85       The Legislature intends that the amount provided by this item be used to conduct and  
86 present the study and opinion authorized under Title 36, Chapter 32, Legislative Capacity  
87 Study.

88       Section 4. Effective date.

89       If approved by two-thirds of all the members elected to each house, this bill takes effect  
90       upon approval by the governor, or the day following the constitutional time limit of Utah  
91       Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,  
92       the date of veto override.