

1 **OPT OUT OF EXECUTIVE ORDER ON WHITE HOUSE**

2 **RURAL COUNCIL**

3 2012 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Ken Ivory**

6 Senate Sponsor: _____

7

8 **LONG TITLE**

9 **General Description:**

10 This bill requires a state agency or department to report to the Legislature before
11 implementing a directive from the White House Rural Council and authorizes the
12 Legislature to prohibit or require compliance with a directive from the White House
13 Rural Council.

14 **Highlighted Provisions:**

15 This bill:

- 16 ▶ requires a state agency or department to report to the Legislature before
17 implementing a directive from the White House Rural Council; and
18 ▶ authorizes the Legislature to prohibit or require compliance with a directive from
19 the White House Rural Council.

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 ENACTS:

26 **63M-1-1607**, Utah Code Annotated 1953

27



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

29 Section 1. Section **63M-1-1607** is enacted to read:

30 **63M-1-1607. Implementing directives from White House Rural Council.**

31 (1) (a) A department or agency of the state may not implement a directive from the
32 White House Rural Council, created by federal Executive Order 13575, unless the department
33 or agency first reports its intent to implement the directive to the Legislature's Natural
34 Resources, Agriculture, and Environment Interim Committee in accordance with Subsection
35 (3).

36 (b) The Natural Resources, Agriculture, and Environment Interim Committee may, in
37 response to a report described in Subsection (1)(a), recommend that the Legislature pass
38 legislation specifically authorizing or prohibiting the state's compliance with a directive from
39 the White House Rural Council.

40 (2) The Legislature may pass legislation specifically authorizing or prohibiting the
41 state's compliance with directives from the White House Rural Council.

42 (3) (a) The report required under Subsection (1)(a) shall include:

43 (i) the directive from the White House Rural Council; and

44 (ii) a description of:

45 (A) the requirements imposed by the directive and how the agency would implement
46 the directive;

47 (B) the effect of implementing or not implementing the directive;

48 (C) the cost to the state or its citizens of implementing the directive; and

49 (D) the consequences to the state if the state does not comply with the directive.

50 (b) The report required under Subsection (1) may include an analysis by the agency or
51 department that addresses whether a directive from the White House Rural Council:

52 (i) affects the distribution of power and responsibility among the state and national
53 government;

54 (ii) limits the policymaking discretion of the state;

55 (iii) impacts a power or a right reserved to the state or its citizens by the Ninth or Tenth
56 Amendment to the United States Constitution; or

57 (iv) impacts the sovereignty rights and interest of the state or a political subdivision to
58 provide for the health, safety, and welfare of, and to promote the prosperity of, the state's or the

59 political subdivision's citizens.

Legislative Review Note
as of 2-9-12 8:19 AM

Office of Legislative Research and General Counsel