

PROPOSED AMENDMENTS TO HOUSE AND SENATE RULES 329 AND JOINT RULES 501
AND 502

1 **SECTION 1. AMENDMENT.** Subsection 2 of House Rule 329 is amended as follows:

2 2. Every bill or resolution ~~to which is attached~~with a fiscal note stating ~~that~~ the measure
3 has an effect of fifty thousand dollars or more on the appropriation for a state agency
4 or department must be rereferred to and acted on by the Appropriations Committee
5 before final action by the House thereon, unless otherwise ordered by a majority vote
6 of the members present.

7 **SECTION 2. AMENDMENT.** Subsection 2 of Senate Rule 329 is amended as follows:

8 2. Every bill or resolution ~~to which is attached~~with a fiscal note stating ~~that~~ the measure
9 has an effect of fifty thousand dollars or more on the appropriation for a state agency
10 or department must be rereferred to and acted on by the Appropriations Committee
11 before final action by the Senate thereon, unless otherwise ordered by a majority vote
12 of the members present.

13 **SECTION 3. AMENDMENT.** Joint Rule 501 is amended as follows:

14 **501. Fiscal notes.**

15 1. Except for a measure appropriating a specific dollar amount, every bill or resolution
16 having an effect of five thousand dollars or more on the revenues, expenditures, or
17 fiscal liability of the state must have a fiscal note ~~attached which describes~~describing
18 that effect and ~~which is~~ prepared as provided in this rule.

19 2. a. The Legislative Council shall determine whether a fiscal note is required for any
20 bill or resolution prepared by the Legislative Council staff. The chairman of the
21 committee to which a bill or resolution is referred shall determine whether a fiscal
22 note is required for a bill or resolution not prepared by the Legislative Council or
23 not bearing a fiscal note.

24 b. A bill or resolution to which an amendment having a fiscal effect of five thousand
25 dollars or more has been approved must have a fiscal note ~~attached~~prepared
26 upon request of the chairman of the committee considering the bill or resolution,
27 or ~~by~~upon request of the majority of the members present of the house in which
28 the bill is considered at the time of second reading.

- 1 c. The chairman of a committee may request the aid of the Legislative Council in
2 making a determination as to whether a bill or resolution requires a fiscal note.
- 3 3. a. A fiscal note must be prepared by the state agency or department responsible for
4 collecting or expending the revenues affected or whose appropriation is affected
5 or jointly by affected departments or agencies, at the request of the Legislative
6 Council.
- 7 b. A request for a fiscal note must be in the proper request form and addressed to
8 the designated agency or department, and must be accompanied by a copy of
9 the bill or resolution having the fiscal effect.
- 10 c. The Legislative Council shall prepare all necessary forms ~~for the implementation~~
11 to implement the fiscal note procedure.
- 12 d. Each agency or department to ~~whom~~which a request for a fiscal note is made
13 shall state on a fiscal note form the fiscal impact of the bill or resolution being
14 considered. The fiscal impact must be stated in dollar amounts; identify the
15 impact on revenues; identify the impact on expenditures; identify the impact for
16 the current biennium, the upcoming biennium, and the next succeeding biennium;
17 and identify the effect on the appropriation for the state agency or department for
18 the current, upcoming, and next succeeding bienniums.
- 19 e. If the agency or department of ~~whom~~which a fiscal note is requested is unable to
20 provide specific information upon the fiscal impact of the bill or resolution, the
21 agency or department shall make an estimate of the impact according to ~~such~~the
22 available information it may have or be able to obtain and shall state ~~that~~ the
23 figures provided are an estimate.
- 24 f. If the agency or department is not able to make an estimate, it shall state that
25 fact.
- 26 4. a. The agency or department preparing the fiscal note for a bill or resolution as
27 introduced shall complete and return the fiscal note to the Legislative Council not
28 later than five days from the date of the request. The agency or department
29 preparing the fiscal note for an amended bill or resolution shall complete and
30 return the fiscal note to the Legislative Council not later than one day from the
31 date of the request.

1 b. The Legislative Council shall provide an electronic copy of the fiscal note to the
2 Office of Management and Budget and the Governor. The Legislative Council
3 shall ~~deliver a paper copy to~~ make an electronic or paper copy of the fiscal note
4 available to the Secretary of the Senate or the Chief Clerk of the House. The
5 ~~Secretary of the Senate or the Chief Clerk of the House shall attach a paper copy~~
6 ~~to the original bill or resolution.~~

7 5. Any bill or resolution requiring a fiscal note must be stamped or have written on its
8 cover a notation to the effect that a fiscal note is required.

9 6. A committee report must include a notation that a specific bill or resolution carries a
10 fiscal note.

11 7. Upon second reading and final passage of a bill or resolution carrying a fiscal note, the
12 Secretary of the Senate or the Chief Clerk of the House, whichever the case may be,
13 shall read the fiscal note in its entirety at the time of reading the title of the bill or
14 resolution to be voted on.

15 **SECTION 4. AMENDMENT.** Joint Rule 502 is amended as follows:

16 **502. Fiscal notes for measures impacting counties, cities, or school districts.**

17 1. Every bill or resolution introduced into either house of the Legislative Assembly which
18 mandates changes in the revenues, expenditures, or fiscal liability of counties, cities,
19 or school districts must have a fiscal note ~~attached~~ reflecting the statewide impact of
20 the bill or resolution on counties, cities, or school districts.

21 2. If no state agency has primary responsibility for compiling and maintaining the
22 information necessary for the proper preparation of a fiscal note otherwise required by
23 this rule, a statement to that effect must be ~~attached to~~ prepared for the bill or
24 resolution by the party responsible for requesting the fiscal note pursuant to
25 subsection 2 of Joint Rule 501. A statement ~~attached~~ prepared pursuant to this
26 subsection meets the fiscal note requirement.

27 3. The same requirements and procedures provided in Joint Rule 501 for state fiscal
28 notes, including preparation, deadlines, forms, and reading of fiscal notes on second
29 reading and final passage, apply to fiscal notes for counties, cities, and school districts
30 except as provided in this rule.