

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.