**DEPARTMENTAL PROPOSED LEGISLATION** **6950**
(New 2/98)

The subject matter of legislation is derived from a variety of sources. In some instances, legislators introduce bills based on their own knowledge of, or personal experience with, the subject matter the bill proposes to affect. More frequently, legislators are asked by individuals or organizations to introduce (or "author" or "carry") a bill for them. Those making such requests are said to be the "sponsors" of the bill.

One large source of sponsorship is the individual departments within state government. A department may feel that if a particular statute is amended, repealed, or enacted, then some aspect of its administrative function will be done more efficiently or the effectiveness of a program will be enhanced. If this is the case, the department will request a member of the Legislature to introduce such legislation.

No department under the authority of the Governor may sponsor legislation without the prior approval of the department's Agency Secretary and the Governor's Legislative Secretary.

All proposals to introduce legislation from departments under the control of the Governor are sent to the Legislative Unit in the Governor's Office after approval at the Agency Secretary level. The Legislative Unit then forwards copies of the proposals to DOF for review and comment. In addition, a department's proposal may also be forwarded to other departments which may be affected by the proposal for their comment.

All legislative proposals must be consistent with the decisions made during budget preparation. Proposed legislation is routed by the Governor's Office through the DOF for analysis. The fiscal impact of proposed legislation is of particular concern. Fiscal impact includes proposals which would: (1) appropriate money; (2) result—for any reason—in additional expenditure of state money by any state agency or to reimburse any local government for a state mandate; (3) result in any loss or gain of revenue to a state or local government entity; or (4) result in a substantial reduction in expenditures of state money by reducing, transferring, eliminating or making more efficient the administration of any existing responsibilities of any state agency, program or function.

It is the responsibility of the originating organization to develop valid fiscal information for proposed legislation. This information must include the estimated fiscal impact to both state and local government.

The proposal must include an estimate of the initial fiscal impact in the first year of implementation and the full-year cost for a succeeding fiscal year. It must also identify the source of funds involved (e.g., General Fund, a particular special fund, a specific federal grant). When funds are available in the department's budget to cover any costs of a proposal, those resources must be identified to DOF by the proposing department. If the proposal does not involve an appropriation or state fiscal impact, a statement attesting to that fact and noting that funds will not be requested in subsequent budgets is to be included in the department's proposal.