

[Model State] Uniform Law Commission Act

drafted by the

NATIONAL CONFERENCE OF COMMISSIONERS
ON UNIFORM STATE LAWS

and by it

APPROVED AND RECOMMENDED FOR ENACTMENT
IN ALL THE STATES



WITH PREFATORY NOTE AND COMMENTS

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National Conference of Commissioners
on Uniform State Laws

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ABOUT ULC

The **Uniform Law Commission** (ULC), also known as National Conference of Commissioners on Uniform State Laws (NCCUSL), now in its 134th year, provides states with non-partisan, well-conceived and well-drafted legislation that brings clarity and stability to critical areas of state statutory law.

ULC members must be lawyers, qualified to practice law. They are practicing lawyers, judges, legislators and legislative staff and law professors, who have been appointed by state governments as well as the District of Columbia, Puerto Rico and the U.S. Virgin Islands to research, draft and promote enactment of uniform state laws in areas of state law where uniformity is desirable and practical.

- ULC strengthens the federal system by providing rules and procedures that are consistent from state to state but that also reflect the diverse experience of the states.
- ULC statutes are representative of state experience because the organization is made up of representatives from each state, appointed by state government.
- ULC keeps state law up to date by addressing important and timely legal issues.
- ULC's efforts reduce the need for individuals and businesses to deal with different laws as they move and do business in different states.
- ULC's work facilitates economic development and provides a legal platform for foreign entities to deal with U.S. citizens and businesses.
- Uniform Law Commissioners donate thousands of hours of their time and legal and drafting expertise every year as a public service and receive no salary or compensation for their work.
- ULC's deliberative and uniquely open drafting process draws on the expertise of commissioners, but also utilizes input from legal experts, and advisors and observers representing the views of other legal organizations or interests that will be subject to the proposed laws.
- ULC is a state-supported organization that represents true value for the states, providing services that most states could not otherwise afford or duplicate.

[Model State] Uniform Law Commission Act

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[Model State] Uniform Law Commission Act

Prefatory Note

In 1944, the Uniform Law Commission (“ULC”) adopted an act titled “To Provide for the Creation of a Commission on Uniform State Laws, the Appointment of Commissioners Thereto, and Making an Appropriation for Same” (“1944 Act”). Internal ULC data indicates that the 1944 Model Act was adopted in 17 states, with many of these states amending their original enactment over time. Additionally, research indicates that 48 states have some statutory provision appointing commissioners to a state commission on uniform state laws.

Since 1944, there have been changes to the organization of state governments, including state legislatures, and to methods of legislative drafting, both in the states and the ULC. Additionally, the ULC’s Constitution has undergone recent changes related to the status of certain commissioners. These changes, combined with the ULC’s need for an act relating to the establishment of state uniform law commissions and the appointment of commissioners, have resulted in the creation of this updated model act, the [Model State] Uniform Law Commission Act (“the Act”).

The Act is based largely on the structure of the 1944 Act, incorporating the basic framework of (1) establishing a state uniform law commission, (2) providing for appointments to the state commission, (3) imposing certain duties on commissioners and the state commission, (4) providing for the payment of dues and reimbursement of expenses for commissioners, and (5) requiring a report on the state commission’s work.

While the Act adopts the structure of the 1944 Act, the Act incorporates new concepts:

- The Act adopts ideas consistent with the ULC’s Constitution. Specifically, the inclusion on the state commission of individuals from legislative drafting offices and individuals elected by the ULC to life membership.
- The Act borrows concepts found in similar state laws. Specifically, providing for the selection of a specific government agency to provide administrative support for the state commission, including payment of dues and reimbursements for commissioner expenses.
- While the 1944 Model Act provided for gubernatorial appointments only, the Act includes provisions providing for commissioners appointed by the leader of each chamber of a state legislature. Over the last 80 years, many state commissions and the ULC have found that the inclusion of legislators or individuals appointed by legislatures as part of state commissions has been beneficial to achieving uniformity of state laws through the enactment of uniform acts.
- The language and structure of the Act is updated to comply with the ULC’s Drafting Rules and Style Manual (2025 edition).

The Act is intended to provide a modern statement from the ULC on how to establish and manage an efficient and effective state commission. However, it is not intended that the Act be adopted in each state or shared as part of each delegation's annual report. There is a small subset of states that do not have an act on the appointment of commissioners for whom the adoption of the Act would be appropriate. Those states with an existing act on the appointment of commissioners need not consider this Act for adoption unless the existing act is not satisfactory or provisions of this Act, not found in the existing act, are otherwise considered more desirable. If that is the case, those states may wish to adopt this Act in its entirety or may choose to adopt only the provisions that would improve or supplement the state's existing law. This is reflected in the process used by the ULC to draft this Act, the Act's bracketing of "Model State" in the titling of the Act for internal ULC purposes, the use of the adopting state's name in the title in Section 1 of the Act, and the exclusion of any use of the term "model" in the Act itself.

[Model State] Uniform Law Commission Act

Legislative Note: *An enacting state should replace the term “Model State” with the state’s name. See Section 1. An enacting state should omit the word model because it is unnecessary.*

Section 1. Title

This [act] may be cited as the [insert state name] Uniform Law Commission Act.

Section 2. Definitions

In this [act]:

(1) “Commission” means the commission established by Section 3(a).

(2) “Commissioner” means a member of the commission.

(3) “State” means a state of the United States, the District of Columbia, Puerto Rico, or the United States Virgin Islands.

(4) “ULC” means the organization composed of commissions on uniform laws established by each state, also known as the Uniform Law Commission or the National Conference of Commissioners on Uniform State Laws.

Comment

Paragraph (3) defines the term “state” as it is defined in Section 11.01(6) of the Constitution of the Uniform Law Commission. Use of this definition is intended to reflect the current membership of the ULC and defer additions to the membership to the processes established by the ULC.

Section 3. Commission Established; Commissioners

(a) The [insert state name] Uniform Law Commission is established within the [insert name of the state legislative reference bureau or other agency charged by law with the duty of drafting legislation or other appropriate agency or office] for administrative purposes.

(b) An individual must be a member of the bar of a state at the time of first becoming a commissioner to be eligible for appointment under subsection (c)(1), (2), (3), [or] (4) [, or (6)].

(c) The commission consists of the following members:

(1) [Three] eligible individuals appointed by the Governor.

(2) [One] member of the [Senate] appointed by the [President Pro Tempore of the Senate]. If no member of the [Senate] is eligible to be a commissioner, or the [President Pro Tempore] elects not to appoint a member of the [Senate] who is eligible, the [President Pro Tempore] shall appoint an individual who is eligible.

(3) [One] member of the [House of Representatives] appointed by the [Speaker of the House of Representatives]. If no member of the [House of Representatives] is eligible to be a commissioner, or the [Speaker] elects not to appoint a member of the [House of Representatives] who is eligible, the [Speaker] shall appoint an individual who is eligible.

(4) The [Director] of [insert name of the state legislative reference bureau or other agency charged by law with the duty of drafting legislation]. If the [Director] is not eligible to be a commissioner or declines to serve, the [Director] shall designate an employee of [insert name of the state legislative reference bureau or other agency charged by law with the duty of drafting legislation] who is eligible.

(5) An individual who, while a commissioner, becomes a life member of the ULC.

[(6) Insert any other category of eligible individual the enacting state chooses to include as a member of the commission.]

(d) A commissioner appointed under subsection (c)(1) serves a term of [four][six] years and serves until the commissioner's successor is appointed or the position is vacant under subsection (f) or (g).

(e) A commissioner who is:

(1) appointed under subsection (c)(2) or (3) serves until a successor is appointed

or the position is vacant under subsection (f) or (g);

(2) a commissioner under subsection (c)(4) serves until vacating the position;[or]

(3) a life member under subsection (c)(5) serves until the commissioner's death, removal under other law of this state, or resignation[.][; or]

[(4) a commissioner under subsection (c)(6) serves [insert appropriate term].]

(f) On an appointed commissioner's death, removal under other law of this state, or resignation, the position is vacant. The commissioner's appointing authority shall make an appointment to fill the vacancy. If the former commissioner was appointed under subsection (c)(1), the appointment is for [a new term][the unexpired term of the former commissioner].

(g) On becoming a life member under subsection (c)(5), the commissioner's position is vacant, the individual continues to serve as a commissioner under subsection (c)(5), and the commissioner's appointing authority shall make an appointment to fill the vacancy.

Legislative Note: In subsections (c)(2) and (3), a state should: (1) insert the names of the chambers of the legislature and title of the leader of each chamber; and (2) in a state with only one chamber, make the necessary changes.

A state should include subsection (c)(6) if the state wishes to include additional members. Some states include other individuals as members of their commissions based on their role or job, including the Attorney General, members of the judiciary, and law professors. Examples of statutory language adding these categories of individuals are reproduced in the comment for this subsection. If a state includes subsection (c)(6), the state should make conforming changes in subsections (b) and (e).

In subsection (e)(4), if a state provides for the appointment of a commissioner under subsection (c)(6), the state should consider how and when the term of the commissioner ends and modify subsection (e)(4) accordingly.

In subsection (f), a state should choose the term of office for a new commissioner appointed to fill a vacancy.

Comment

1. In subsection (a), the name of the state commission created by this model act is made consistent with the name of the Uniform Law Commission. This is also consistent with the name

used by at least five states, which name their state commission a “Uniform Law Commission”. *See*, Az. Rev. Stat. § 41-151.18(A); D.C. Code Ann. § 3-1431; Ind. Code Ann. § 2-5-35-2; N.M. Stat. Ann. § 2-4-1(A); RCW 43.56.010(1).

2. Since the promulgation of the 1944 Act, many state legislatures have created nonpartisan legislative reference bureaus to assist the legislature in its work. Subsection (a) provides that the commission is to be established in the nonpartisan legislative reference bureau in the state legislature for administrative purposes. If an enacting state doesn’t have a nonpartisan legislative reference bureau or similar agency, the state should insert the name of an appropriate agency or office to fulfill this role.

3. Subsection (b) states that a member of the commission must be a member of the bar of a state on first appointment. A requirement for bar membership is in the 1944 Act and every state law. This requirement is also found in Section 2.04 of the Constitution of the Uniform Law Commission, which states: “When first appointed, each Commissioner must be a member of the bar of a State.” Subsection (b) adopts this approach.

4. In enacting this model act, a state should consider whether the issue of mandatory and voluntary state bar associations impacts subsection (b). Mandatory bars, sometimes called unified bars or integrated bars, are integrated into the regulation of the legal profession and derive their authority from the state supreme court or by statute. Voluntary state bars are focused on professional and community development and do not perform regulatory functions. The purpose of this subsection is to require an individual to have a license to practice law in a state at the time of first appointment – membership in a voluntary bar association in a state without licensure in a state would not make an individual eligible to be appointed a commissioner. More information on the different types of bar associations is available at: <https://www.americanbar.org/groups/bar-leadership/resources/resourcepages/barworldbasics/bartypes/>.

5. Currently, the median number of commissioners in a state delegation is five. This model act recommends the appointment of six commissioners – three appointed by the governor, one appointed by the Speaker of the House, one appointed by the President Pro Tempore of the Senate, and one who is the Director of the state’s legislative reference bureau. A key goal in drafting this model act was to identify best practices from the states and create a modern recommendation for the formation of a state commission based upon those best practices.

The primary purpose of the ULC is to achieve uniformity of state laws where uniformity is beneficial and practicable. To that end, commissioners have a duty to work with their state legislature to ensure passage of uniform acts. Many states that currently require the appointment of commissioners who are legislators have found the appointment of legislator commissioners to be helpful for this purpose. This model act adopts this approach by providing for the appointment of two eligible state legislators, one from each chamber, to be appointed by the Speaker of the House and the President Pro Tempore of the Senate.

While the appointing authority for commissioners varies from state to state, governors have historically been the authority most often charged with making appointments. This model

act respects the role governors have historically played in making appointments to state commissions and continues this tradition by giving the governor the authority to appoint three commissioners. This model act is sensitive to the politics surrounding appointments to boards and commissions and the delicate balance of power between the executive and legislative branches of state government, which is why this Act gives the governor the largest number of appointments on the state commission. In subsection (c)(1), a state should consider the bracketed suggestion of three gubernatorial appointments as a minimum rather than a recommended maximum, especially if the state currently has more than three gubernatorial appointments on the commission.

6. In subsections (c)(1) through (4) and (c)(6) the term “eligible” refers to subsection (b).

7. Subsections (c)(2) and (3) give the leader of each chamber of the state legislature the authority to appoint one commissioner. This is the approach taken in the majority of states that currently provide for the appointment of legislator commissioners. However, some states require additional legislative appointments to guarantee partisan balance. For example, Illinois, Indiana, and Pennsylvania give the Speaker of the House, the President Pro Tempore of the Senate, and the minority leader of each chamber the authority to appoint one commissioner. *See*, 25 ILCS 135/5.07; Ind. Code Ann. § 2-5-35-3; 1 Pa.C.S.A. § 3102(b). Michigan requires the leader of each chamber to appoint two legislators, one of which must be from the minority party. Mich. Comp. Laws § 4.1301(1). New Mexico requires the Legislative Council to appoint four members of the legislature, consisting of one member from each of the two major political parties in both the House and Senate. N.M. Stat. Ann. § 2-4-1. Wisconsin also requires four legislator appointments, two from each chamber representing the two major political parties but gives the appointing authority to the caucus of the two major political parties. Wis. Stat. Ann. § 13.55(1)(a).

In enacting this model act, a state may choose to modify subsection (c)(2) and (3) to allow for additional legislative appointments if it would be desirable in the state. If a state wishes to increase the number of legislative appointments, the state should insert the appropriate number of legislative appointments in subsection (c)(2) and (3).

8. When including legislators in the membership structure, it is necessary to allow the leader of each chamber the authority to appoint an individual other than a member of that chamber to ensure the state has a full delegation. This is necessary because the chamber may not have a legislator who is a member of the bar or the only legislator who is a member of the bar may not be an individual the leader wants to appoint. Subsections (c)(2) and (3) indicate a preference for the appointment of legislators but allow the appointing authority to select another individual if necessary or desired.

9. Every state has some sort of prohibition on dual office holding, meaning that an individual who is a “public official” may be prohibited from holding more than one elected or appointed position. However, the states vary widely on the scope and applicability of these prohibitions. Many state prohibitions place limitations on legislators holding other “positions of profit” or being appointed to a position that would provide them with a financial benefit. Other states place limitations on public officials holding “incompatible positions”, where holding the

two roles may result in a dilution of the checks and balances between different offices or branches of government. An enacting state should review the dual office holding prohibition in the state to determine if a conflict exists. If legislators would be prohibited from serving as ULC commissioners, the enacting state should modify subsections (c)(2) and (3) to direct the Speaker of the House and President Pro Tempore to appoint an eligible individual. More information on dual office holding is available at: <https://www.ncsl.org/ethics/dual-office-holding-restrictions>.

10. In enacting subsections (c)(2) and (3), a state should consider whether there is a constitutional provision in the state reserving appointment power exclusively to the governor. If such a provision exists, the enacting state should modify subsections (c)(2) and (3) so that the appointing authority is the governor, rather than the President Pro Tempore and the Speaker of the House, while still recommending appointment of a member of the House and Senate.

11. Subsection (c)(4) states that the director of the nonpartisan legislative reference bureau is a commissioner. This individual is included in the proposed membership structure because at least 12 state appointment statutes provide that a representative of the nonpartisan legislative service agency is a member of the state commission. In addition, section 2.02(a)(2) of the Constitution of the Uniform Law Commission provides that “the principal administrative officer of each state legislative reference bureau or other agency charged by law with the duty of drafting legislation, or an alternate named by the officer” is a commissioner.

12. Some states may not have a centralized agency tasked with the duty of drafting legislation. In enacting this model act, a state that does not have one central agency charged by law with the duty of drafting legislation should consider what body or agency is appropriate to receive an appointment under subsection (c)(4).

13. Subsection (c)(5) includes life members as members of the state commission. This is intended to serve two purposes: (1) to require states to reimburse life members for the expense of attending the ULC annual meeting, and (2) to encourage eligible commissioners to take life membership, thereby allowing a new commissioner to be appointed. Balancing the need to retain experienced commissioners with the need to recruit new talent is a key goal of this model act. By including life members as members of the state commission and requiring reimbursement for their annual meeting expenses, we hope this model act will remove any remaining obstacles that would disincentivize eligible commissioners from taking life membership.

Currently, the laws of 26 states and the Constitution of the Uniform Law Commission (Section 2.03) provide that an individual elected to be a life member of the ULC is also a member of the state commission.

14. Subsection (c)(6) is a placeholder for states that wish to include additional members. Common formulations seen in states require the appointment of judges, law professors, and others. Examples of statutory language are included below:

D.C. Code Ann. § 3-1432:

(a) The Commission shall consist of the following commissioners:

(3) One commissioner appointed by the Chief Judge of the Superior Court

of the District of Columbia.

Indiana Code Ann. § 2-5-35-3:

The commission is comprised of the following members:

(6) A current or former law professor with expertise in commercial law appointed by the chief justice of Indiana.

Nevada Revised Statutes § 219.020:

1. . . . the Commissioners are:

(b) Two members of the faculty of the William S. Boyd School of Law of the University of Nevada, Las Vegas.

2. The Legislative Commission shall appoint:

(b) Two members of the faculty of the William S. Boyd School of Law of the University of Nevada, Las Vegas, from a list submitted to the Legislative Commission by the Dean of the Law School. Each member so appointed serves for a term of 4 years.

New Mexico Stat. Ann. § 2-4-1:

A. . . . Its membership shall consist of:

(5) the dean of the university of New Mexico law school or the dean's designee.

North Dakota Century Code § 54-55-01:

The commission on uniform state laws consists of an individual engaged in the practice of law in this state, the dean or a full-time member of the faculty of the law school of the university of North Dakota, a law-trained judge of a court of record in this state, a member of the house of representatives and a member of the senate of the legislative assembly, and a member of the legislative council. The attorney general may appoint a member of the commission.

1 Pa.C.S.A. § 3102:

(b) Composition.—The board shall be composed of nine commissioners learned in the law:

(6) The Attorney General shall serve as an ex officio commissioner.

15. Subsection (d) provides for the term of a commissioner appointed by the governor. Some statement of the term of a commissioner appointed by the governor is included in the majority of state appointment statutes. For states with a term based on years, the terms for appointments range from two to six years. Four years is the most popular with 20 states providing for 4-year terms.

In subsection (d), a state should insert the appropriate term of years for a commissioner appointed by the governor. This model act recommends an enacting state choose either four or six years. Some enacting states may prefer to include a term that runs concurrently with the term of the governor. However, others may choose to enact a statute with a term exceeding the term of the governor to avoid political influence in the appointment process.

Including a term of years in the model act is not intended to encourage frequent cycling or replacement of commissioners. Rather, the term is intended to give some stability and consistency to the composition of state commissions while also ensuring that commissioners represent their state. Collective experience among commissioners is that it takes more than a few years to be an effective contributing member of the ULC. Therefore, best practice is to allow for a term of at least four years and, to the extent feasible, provide for continuity in appointments (i.e., reappointing the same commissioner so long as they are still interested) so an appointee has the chance to learn the organization, get involved, and make positive contributions to the work of the ULC.

16. Subsection (e)(1) provides that a commissioner appointed by the Speaker of the House or the President Pro Tempore of the Senate serves until a successor is appointed or the position is vacant. The appointing authority may, but is not required to, replace commissioners appointed under subsections (c)(2) or (3) when the appointee is no longer in the legislature.

17. Subsection (e)(2) provides that the Director of the state legislative reference bureau shall serve until vacating the position. At that time, the new Director will become a commissioner.

18. Subsection (e)(3) provides that a life member serves until the commissioner's death, removal under other law of this state, or resignation.

19. Subsection (e)(4) is a placeholder for states that choose to include additional members under subsection (c)(6). States that include additional members need to indicate how a successor is appointed and how the commissioner's term ends.

20. Subsection (f) provides a mechanism for filling a vacancy upon an appointed commissioner's death, removal under other law of the enacting state, or resignation.

21. Subsection (g) states that a vacancy is created when a commissioner becomes a life member. This subsection clarifies that the individual continues to serve as a commissioner under subsection (c)(5) rather than the subsection under which they were appointed, and that the commissioner's appointing authority shall make a new appointment to fill the vacancy. While the intent of this model act is to create the opportunity for the appointment of new commissioners when a commissioner becomes a life member, an appointing authority may reappoint a commissioner who has become a life member to an appointed position.

22. Including life members in the state commission may require a state to consider quorum requirements for purposes of the state's open meeting laws.

Section 4. Duties; Annual Report

(a) A commissioner shall attend the annual meeting of the ULC.

(b) The commission shall:

(1) review efforts nationally to enact uniform state laws and recommend the enactment of uniform acts approved by the ULC that the commission considers appropriate for this state; and

(2) promote uniformity in state laws in subjects in which uniformity is desirable and practicable.

(c) The commission shall annually submit a report to the [Legislature][,] [and] Governor[, and any other appointing authority under Section 3(c),] that includes:

(1) a summary of the commission's activities;

(2) a summary of the ULC's activities;

(3) the commission's recommendations for legislation; and

(4) any other information the commission considers relevant.

Legislative Note: In subsection (c), a state should insert the name of the state legislature or titles of legislative leaders or staff in the state legislature whom the state desires to receive the report required under this section.

Comment

1. Subsection (a) comes from the 1944 Model Act which stated that "Each Commissioners (sic) shall attend the meeting of the National Conference of Commissioners on Uniform State Laws. . ." This requirement should extend to the entirety of the annual meeting because it is important to have at least one commissioner from each state present at the annual meeting to vote on behalf of their state in the vote by states.

Subsection (a) imposes an individual duty on each commissioner to attend the annual meeting of the ULC. This is not intended to suggest or require that action be taken against a commissioner who is unable to attend. Rather, this language was included so that commissioners have statutory language to rely on when requesting reimbursement for annual meeting travel expenses. Life members under Section 3(c)(5) will also receive reimbursement for annual meeting travel expenses.

2. Subsection (b) imposes collective duties on the state commission. The ULC Constitution in Section 6.01 provides that "It is the duty of the Members of the Conference from each State collectively" when listing the duties of commissioners.

3. Subsection (b)(1) is based upon Arizona's statute and Section 6.01(e) of the ULC

Constitution. *See*, Az. Rev. Stat. § 41-151.18(C). This language requires commissioners to work toward the enactment of uniform laws. Reviewing efforts nationally to enact uniform laws assists the commissioners in their efforts to recommend acts appropriate for their states. This is not intended to require commissioners to create their own 50-state surveys of enactments or engage in legal research. This requirement would be satisfied by participating in the delegation's annual legislative planning discussion, reviewing the ULC's website, and working with ULC staff. This model act does not address its interaction with state lobbying laws because engaging in this work should not be considered lobbying under state statute. A state may consider whether to further clarify that commissioners fulfilling their duties are not engaged in the practice of lobbying.

4. Subsection (b)(2) is borrowed from the 1944 Act which required commissioners to “do all in his power to promote uniformity in State Laws, upon all subjects where uniformity may be deemed desirable and practicable.” This language is also found in Section 1.02 of the ULC Constitution.

5. Subsection (c) requires the state commission to submit a report of its activities. This is currently required in 37 states. The report should be distributed to the state legislature, the governor, and any other appointing authority authorized to appoint commissioners under Section 3(c).

6. This report also serves as a mechanism for state delegations to inform the legislature, governor, and other relevant appointing authorities of any vacancies on the delegation and when a commissioner is elected to life member status. This is the type of information a state Commission should include in the report pursuant to subsection (c)(4).

7. Any specific information requested by the appointing authority should be included in the report under subsection (c)(4).

Section 5. Annual Dues; Commissioner Expenses

(a) The amount required to pay the state's annual dues to the ULC and the commissioners' expenses is authorized to be funded in accordance with the state's appropriation process.

(b) Except as provided under other law of this state, the state may not compensate a commissioner for services rendered under this [act]. The state shall reimburse a commissioner for the commissioner's reasonable expenses of attending the annual meeting of the ULC and any other reasonable expenses incurred in the performance of the commissioner's duties under Section 4.

(c) The [insert name of the agency or office designated in Section 3(a)] shall:

- (1) pay under subsection (a) the state's dues to the ULC;
- (2) pay under subsection (b) a commissioner for expenses incurred; and
- (3) provide other reasonable administrative assistance to the commission.

Comment

1. Subsection (a) goes as far as possible to require the state to contribute to the ULC annually. Any stronger statement could be viewed as binding a future legislature.

2. Subsection (b) states that commissioners serve without compensation except as provided under other law of the enacting state. For example, a legislator who is a commissioner should still receive compensation under other state law for attending a ULC committee meeting or the ULC annual meeting if they would otherwise be compensated by the state for these activities.

Subsection (b) also requires the reimbursement of "reasonable expenses" of attending annual meeting and any other "reasonable expenses" incurred in the performance of the commissioner's duties under Section 4. The model act chose "reasonable" as a modifier to serve as a guardrail against unreasonable reimbursement requests. Reimbursements made under this subsection should be in compliance with other reimbursement laws or rules in an enacting state.

Examples of reasonable reimbursement requests may include: the cost of airfare in coach to the ULC annual meeting, a hotel room for the duration of the ULC annual meeting using the conference rate ("reasonable" should not require a commissioner to stay at a budget hotel far away from the meeting), a per diem for meals during the annual meeting, and the cost of airfare or gas/mileage reimbursement to travel to the state capital or other location to comply with a state's open meeting law.

Examples of unreasonable reimbursement requests may include: the cost of flying first class to the ULC annual meeting, expenses for pay-per-view movies and drinks from the hotel mini bar, and hiring an attorney to draft a state commission's annual report under Section 4.

3. Subsection (c) provides that the nonpartisan legislative reference bureau is responsible for payment of dues to the ULC, reimbursement of expenses of the commissioners for attending the ULC annual meeting, and other reasonable administrative assistance required by the commission. The nonpartisan legislative reference bureau's assistance is intended to be limited to that which will not cause undue cost or expense for the office. Such assistance may include providing information to commissioners related to the need or feasibility of adopting a uniform law or assisting with the preparation or printing of the commission's annual report.

[Section 6. Transitional Provision]

[[(a)] The term of a member of [insert name of state's former commission on uniform state laws] under [cite to former law] continues as follows:

(1) If appointed for a term of years, until the expiration of the term [and the individual's successor is appointed].

(2) If serving at the pleasure of an appointing authority under [cite to former law] who is an appointing authority under Section 3(c), until the appointing authority determines otherwise.

(3) If serving as a member of the commission by virtue of holding a position other than commissioner, until vacating the position.

[(b) If an individual is a member of [insert name of state's former commission on uniform state laws] under [cite to former law] and serves at the pleasure of an individual who is not an appointing authority under Section 3(c) or by virtue of holding a position not included as a commissioner under Section 3(c), the individual's term expires on [the effective date of this [act]].]

Legislative Note: Include this section only if the state is replacing an existing appointment statute with this act.

In subsection (a)(1), a state should include the bracketed phrase if the state does not otherwise have a hold-over provision in statute or the state constitution.

A state should include subsection (b) only if the state's predecessor commission on uniform state laws has members to which this subsection would apply.

[Section 7. Severability]

[If a provision of this [act] or its application to a person or circumstance is held invalid, the invalidity does not affect another provision or application that can be given effect without the invalid provision.]

Legislative Note: Include this section only if the state lacks a general severability statute or a

decision by the highest court of the state stating a general rule of severability.

[Section 8. Repeals; Conforming Amendments]

[(a) . . .

(b) . . .]

Legislative Note: *A state should examine its statutes establishing or governing a predecessor state commission on uniform state laws to determine the extent of repeals or conforming revisions required by the state's enactment of part or all of this act.*

Section 9. Effective Date

This [act] takes effect [...].