# STATUTORY PRESUMPTIONS 

1998 GENERAL SESSION<br>STATE OF UTAH<br>Sponsor: David Ure

## AN ACT RELATING TO STATUTORY CONSTRUCTION; PROVIDING PRESUMPTIONS FOR STATUTORY CONSTRUCTION.

This act affects sections of Utah Code Annotated 1953 as follows:
ENACTS:
68-3-12.5, Utah Code Annotated 1953
Be it enacted by the Legislature of the state of Utah:
Section 1. Section 68-3-12.5 is enacted to read:

## 68-3-12.5. Statutory presumptions.

(1) Unless clearly indicated to the contrary in the text of a statute, because of the constitutional duty of the state to protect water rights, forestry, and public lands under Articles XVII, XVIII, and XX of the Utah Constitution, and powers guaranteed to the state under Article IV, Section 4 and the Tenth Amendment of the United States Constitution, it shall be presumed that the statutes adopted by the Legislature are intended to protect the beneficial use of the natural resources of the state and to preserve or expand tax bases within the boundaries of the state.
(2) Unless clearly indicated to the contrary in the text of a statute, because of governmental duties to protect the rights and responsibilities guaranteed pursuant to Article I, Sections 1, 2, 3, 25, and 27 of the Utah Constitution and Article IV, Section 4 and the Tenth Amendment of the United States Constitution, it shall be presumed that the statutes adopted by the Legislature are intended to protect the exercise of inherent and inalienable rights of all residents under the Utah Constitution, fulfill the federally mandated guarantee of a republican form of government, and strengthen families in the state.

## *HB0408*

## Legislative Review Note

## as of 2-2-98 12:10 PM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.
Office of Legislative Research and General Counsel

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