

**RESOLUTION CREATING CONSTITUTIONAL TRUST FUND**

2000 GENERAL SESSION

STATE OF UTAH

**Sponsor: L. Steven Poulton**

A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH CONSTITUTION; ESTABLISHING A STATE TRUST FUND; PROVIDING FOR PRINCIPAL TO BE HELD IN PERPETUITY; PROVIDING AN EXCEPTION; PROVIDING FOR USE OF INCOME; DIRECTING THE LIEUTENANT GOVERNOR TO SUBMIT THE PROPOSAL TO VOTERS; AND PROVIDING AN EFFECTIVE DATE.

This resolution proposes to change the Utah Constitution as follows:

ENACTS:

**ARTICLE XXII, SECTION 4**

*Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:*

Section 1. It is proposed to enact Utah Constitution Article XXII, Section 4, to read:

**Article XXII, Section 4. [State trust fund -- Principal to be held in perpetuity -- Use of income.]**

(1) There is established a permanent state trust fund consisting of:

(a) as provided by statute or appropriation, funds that the state receives relating to the November 1998 settlement agreement with leading tobacco manufacturers; and

(b) other funds and assets that the trust fund receives by bequest or private donation.

(2) Except as provided in Subsection (4), the state treasurer shall, as provided by statute, hold all trust funds and assets in trust and invest them for the benefit of the people of the state in perpetuity.

(3) The income from the state trust fund shall be deposited into the General Fund.

(4) With the concurrence of the governor and three-fourths of each house of the Legislature, funds or assets in the trust fund may be removed from the fund for deposit into the General Fund.

Section 2. **Submittal to voters.**

The lieutenant governor is directed to submit this proposed amendment to the voters of the state at the next regular general election in the manner provided by law.

Section 3. **Effective date.**

If the amendment proposed by this joint resolution is approved by a majority of those voting on it at the next regular general election, the amendment shall take effect on January 1, 2001.