

1 STATE FINANCIAL ADVISOR AMENDMENTS

2 2000 GENERAL SESSION

3 STATE OF UTAH

4 Sponsor: Peter C. Knudson

5 AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES; AUTHORIZING THE
6 STATE FINANCIAL ADVISOR TO ENTER A COMPETITIVE BID FOR BONDS SOLD BY
7 THE STATE AT COMPETITIVE SALE; MAKING TECHNICAL CORRECTIONS; AND
8 PROVIDING AN EFFECTIVE DATE.

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11 67-4-16, as last amended by Chapter 14, Laws of Utah 1998

12 *Be it enacted by the Legislature of the state of Utah:*

13 Section 1. Section 67-4-16 is amended to read:

14 67-4-16. State financial advisor.

15 (1) The state treasurer may hire [~~on a fee-for-service basis~~] a state financial advisor on a
16 fee-for-service basis.

17 (2) The state financial advisor shall advise the state treasurer, the director of the Governor's
18 Office of Planning and Budget, the director of the Division of Finance, [~~and~~] the director of the
19 Division of Facilities Construction and Management, and the Legislature and its staff offices on
20 the issuance of bonds and other debt, and on all other public debt matters generally.

21 (3) The financial advisor may assist in the preparation of the official statement, represent
22 the state's creditworthiness before credit rating agencies, and assist in the preparation, marketing,
23 or issuance of public debt.

24 (4) (a) The state financial advisor or the firm that [~~he~~] the advisor represents may not
25 negotiate to underwrite debt issued by the state of Utah for which he has provided financial advisor
26 services.

27 (b) The state financial advisor may enter a competitive bid, either for his own account or

28 in cooperation with others, in response to a call for public bids for the sale of state debt.

29 (5) (a) Fees directly related to the preparation, marketing, or issuance of public debt,
30 including ordinary and necessary expenses, may be paid from the debt proceeds.

31 (b) Fees for other services shall be paid from the state treasurer's budget.

32 Section 2. **Effective date.**

33 If approved by two-thirds of all the members elected to each house, this act takes effect
34 upon approval by the governor, or the day following the constitutional time limit of Utah
35 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the
36 date of veto override.

Legislative Review Note

as of 12-29-99 1:33 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel