

Part 1
Land Grant Management Fund - Disposition of Revenue

Contingently Superseded 7/1/2017

53C-3-101 Land Grant Management Fund -- Contents -- Use of money.

- (1)
 - (a) There is created an enterprise fund known as the Land Grant Management Fund.
 - (b) This fund shall consist of:
 - (i) all revenues derived from trust lands except revenues from the sale of those lands;
 - (ii) all interest earned by the fund;
 - (iii) all revenues deposited in the fund in accordance with Subsection 41-22-19(3); and
 - (iv) all revenues obtained from other activities of the director or administration.
- (2) The director may expend money:
 - (a) from the Land Grant Management Fund in accordance with the approved budget for the support of director and administration activities; and
 - (b) deposited in the fund in accordance with Subsection 41-22-19(3) as necessary to fulfill the purposes of Subsection 41-22-19(3)(b).
- (3) Except for revenues deposited under Subsection (1)(b)(iii), any amount in excess of that required to fund the budget shall be distributed to the various trust beneficiaries as of June 30 of each calendar year, and at other times determined by the director, in shares equal to the portion of total Land Grant Management Fund revenues obtained from each beneficiary's land during the accounting period.
- (4) Money from the lease or rental of school trust lands or from the use, sale, or lease of resources on school trust lands, all sums paid for fees, and all forfeitures or penalties received in connection with those transactions shall be deposited in the Permanent State School Fund.
- (5) Money from the lease or rental of lands acquired by the state for the benefit of an institution named in Sections 7, 8, and 12 of the Utah Enabling Act, or from the use, sale, or lease of renewable or nonrenewable resources on those lands, and all forfeitures or penalties received in connection with those transactions, shall be distributed to the institution.
- (6) Except for revenues deposited under Subsection (1)(b)(iii), any remaining money, including interest earned on the account, shall be distributed in pro rata shares to the various beneficiaries.

Amended by Chapter 247, 2011 General Session

Contingently Effective 7/1/2017

53C-3-101 Land Grant Management Fund -- Contents -- Use of money.

- (1)
 - (a) There is created an enterprise fund known as the Land Grant Management Fund.
 - (b) This fund shall consist of:
 - (i) all revenues derived from trust lands except revenues from the sale of those lands;
 - (ii) all interest earned by the fund;
 - (iii) all revenues deposited in the fund in accordance with Subsection 41-22-19(3); and
 - (iv) all revenues obtained from other activities of the director or administration.
- (2) The director may expend money:
 - (a) from the Land Grant Management Fund in accordance with the approved budget for the support of director and administration activities; and

- (b) deposited in the fund in accordance with Subsection 41-22-19(3) as necessary to fulfill the purposes of Subsection 41-22-19(3)(b).
- (3) Except for revenues deposited under Subsection (1)(b)(iii), any amount in excess of that required to fund the budget shall be distributed to the various trust beneficiaries as of June 30 of each calendar year, and at other times determined by the director, in shares equal to the portion of total Land Grant Management Fund revenues obtained from each beneficiary's land during the accounting period.
- (4) Money from the lease or rental of school trust lands or from the use, sale, or lease of resources on school trust lands, all sums paid for fees, and all forfeitures or penalties received in connection with those transactions shall be deposited in the Permanent State School Fund.
- (5) Money from the lease or rental of lands acquired by the state for the benefit of an institution named in Sections 7, 8, and 12 of the Utah Enabling Act, or from the use, sale, or lease of renewable or nonrenewable resources on those lands, and all forfeitures or penalties received in connection with those transactions, shall be deposited into the respective permanent funds established for the benefit of an institution named in Sections 7, 8, and 12 of the Utah Enabling Act.
- (6) Except for revenues deposited under Subsection (1)(b)(iii), any remaining money, including interest earned on the account, shall be distributed in pro rata shares to the various beneficiaries.

Amended by Chapter 172, 2016 General Session

Contingently Superseded 7/1/2017

53C-3-102 Deposit and allocation of money received.

- (1)
 - (a) The director shall pay to the School and Institutional Trust Fund Office, created in Section 53D-1-201, all money received, accompanied by a statement showing the respective sources of this money.
 - (b) The administration and the School and Institutional Trust Fund Office shall enter into a memorandum of understanding detailing:
 - (i) the classification of sources of money; and
 - (ii) other relevant information, as determined by the administration and the School and Institutional Trust Fund Office.
- (2) All money received from the sale of lands granted by Section 6 of the Utah Enabling Act for the support of the common schools, all money received from the sale of lands selected in lieu of those lands, all money received from the United States under Section 9 of the Utah Enabling Act, all money received from the sale of lands or other securities acquired by the state from the investment of those funds, all sums paid for fees, all forfeitures, and all penalties paid in connection with these sales shall be deposited in the Permanent State School Fund.
- (3) All money received from the sale or other disposition of institutional trust lands granted to the state by the United States under Section 7, 8, or 12 of the Utah Enabling Act, and all sums paid for fees, forfeitures, and penalties received in connection with these sales or dispositions shall go to the respective permanent funds established for the benefit of those institutions under the Utah Enabling Act and the Utah Constitution.
- (4)
 - (a) All lands acquired by the state through foreclosure of mortgages securing school or institutional trust funds or through deeds from mortgagors or owners of those lands shall become a part of the respective school or institutional trust lands.

- (b) All money received from these lands shall be treated as money received from school or institutional trust lands.
- (5) All money received from the sale of lands acquired by the state through foreclosure of mortgages securing trust funds or through deeds from mortgagors or owners of such lands, whether a profit is realized or a loss sustained on the principal invested, shall be regarded as principal and shall go into the principal or permanent fund from which it was originally taken in reimbursement of that fund, with profits being used to offset losses.
- (6)
 - (a) All money received by the director as a first or down payment on applications to purchase, permit, or lease trust lands or minerals shall be paid to the state treasurer and held in suspense pending final action on those applications.
 - (b) After final action the payments received under Subsection (6)(a) shall either be credited to the appropriate fund or account, or refunded to the applicant in accordance with the action taken.

Amended by Chapter 389, 2016 General Session

Contingently Effective 7/1/2017

53C-3-102 Deposit and allocation of money received.

- (1)
 - (a) The director shall pay to the School and Institutional Trust Fund Office, created in Section 53D-1-201, all money received, accompanied by a statement showing the respective sources of this money.
 - (b) The administration and the School and Institutional Trust Fund Office shall enter into a memorandum of understanding detailing:
 - (i) the classification of sources of money; and
 - (ii) other relevant information, as determined by the administration and the School and Institutional Trust Fund Office.
- (2) All money received from the sale of lands granted by Section 6 of the Utah Enabling Act for the support of the common schools, all money received from the sale of lands selected in lieu of those lands, all money received from the United States under Section 9 of the Utah Enabling Act, all money received from the sale of lands or other securities acquired by the state from the investment of those funds, all sums paid for fees, all forfeitures, and all penalties paid in connection with these sales shall be deposited in the Permanent State School Fund.
- (3) All money received from the sale and all net proceeds from other contractual arrangements of institutional trust lands granted to the state by the United States under Section 7, 8, or 12 of the Utah Enabling Act shall be deposited into the respective permanent funds established for the benefit of those institutions under the Utah Enabling Act and the Utah Constitution.
- (4)
 - (a) All lands acquired by the state through foreclosure of mortgages securing school or institutional trust funds or through deeds from mortgagors or owners of those lands shall become a part of the respective school or institutional trust lands.
 - (b) All money received from these lands shall be treated as money received from school or institutional trust lands.
- (5) All money received from the sale of lands acquired by the state through foreclosure of mortgages securing trust funds or through deeds from mortgagors or owners of such lands, whether a profit is realized or a loss sustained on the principal invested, shall be regarded as principal and shall go into the principal or permanent fund from which it was originally taken in reimbursement of that fund, with profits being used to offset losses.

- (6)
- (a) All money received by the director as a first or down payment on applications to purchase, permit, or lease trust lands or minerals shall be paid to the state treasurer and held in suspense pending final action on those applications.
 - (b) After final action the payments received under Subsection (6)(a) shall either be credited to the appropriate fund or account, or refunded to the applicant in accordance with the action taken.
- (7) Distributions to the respective institutions from the associated permanent funds created from lands granted in Sections 8 and 12 of the Utah Enabling Act shall consist of 4% of the average market value of each institutional permanent fund over the past 12 consecutive quarters.

Amended by Chapter 172, 2016 General Session

Amended by Chapter 389, 2016 General Session

Contingently Superseded 7/1/2017

53C-3-103 Disposition of interest on permanent funds.

- (1) The interest and dividends derived from the investment of funds belonging to the permanent State School Fund and the interest, dividends, and other income of the permanent funds of the respective state institutions shall be distributed for use for the maintenance of public elementary and secondary schools or the state institutions in accordance with Title 51, Chapter 7, State Money Management Act.
- (2) Realized and unrealized gains shall be retained in the Permanent State School Fund.

Amended by Chapter 226, 2003 General Session

Contingently Effective 7/1/2017

53C-3-103 Disposition of interest on permanent funds.

The trust distributions derived from the investment of funds belonging to the permanent State School Fund and the permanent funds of the respective state institutions shall be distributed for use for the maintenance of public elementary and secondary schools or the state institutions in accordance with applicable law.

Amended by Chapter 172, 2016 General Session

53C-3-104 Disposition of reservoir land grant revenue.

Money from the sale or management of land selected under the Reservoir Land Grant for the establishment of permanent water reservoirs and water development and conservation projects for irrigation purposes shall be deposited in the Water Resources Construction Fund created in Section 73-10-8.

Enacted by Chapter 294, 1994 General Session

53C-3-105 Disposition of revenue for normal schools.

Money distributed for the benefit of the state's normal schools, as provided under the Utah Enabling Act, Section 12, Utah Constitution Article X, Section 7, Utah Constitution Article XX, Section 2, and Sections 53C-3-101 and 53C-3-103, shall be allocated to institutions within the state system of higher education, as defined in Section 53B-1-102, that offer bachelor's degrees in education in proportion to the number of bachelor's degrees awarded by those institutions in the previous fiscal year.

Enacted by Chapter 189, 2005 General Session