

## STATE FINANCIAL ADVISOR AMENDMENTS

2000 GENERAL SESSION

STATE OF UTAH

**Sponsor: Peter C. Knudson**

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

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

AMENDS:

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

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

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

**67-4-16. State financial advisor -- Duties -- Conflict of interest restrictions.**

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

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

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

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

(b) The state financial advisor may enter a competitive bid, either for his own account or in cooperation with others, in response to a call for public bids for the sale of state debt.

(5) (a) Fees directly related to the preparation, marketing, or issuance of public debt,

including ordinary and necessary expenses, may be paid from the debt proceeds.

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

**Section 2. Effective date.**

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