

**AMENDMENTS TO MASTER BOND ACT**

2003 FIRST SPECIAL SESSION

STATE OF UTAH

**Sponsor: Ron Bigelow**

**This act modifies the Master Bond Act by amending provisions governing the maturity dates of bonds. This act takes effect immediately.**

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

AMENDS:

**63B-1a-101**, as enacted by Chapter 2, Laws of Utah 2003

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

Section 1. Section **63B-1a-101** is amended to read:

**63B-1a-101. Definitions -- Bonds authorized -- Prohibitions -- Purposes --**

**Maturity -- Use of bonds proceeds.**

(1) As used in this section:

(a) "Cost" includes:

(i) all costs related to the authorized capital project, including the cost of equipment and furnishings for, interests in, or improvements necessary, incidental, or convenient to, those capital projects;

(ii) all costs incident to the authorization and issuance of bonds;

(iii) interest estimated to accrue on bonds during the period to be covered by the acquisition and construction of the capital project and for up to 12 months after that period; and

(iv) other amounts that the commission finds necessary to establish reserve funds and to provide working capital related to the capital project.

(b) "Taxable property of the state" includes all real and personal property subject to ad valorem taxation within the state, including all property subject to a fee-in lieu of tax.

(2) When authorized by the Legislature, the commission may, in the manner specified in this chapter, issue bonds to provide funds to the state for the purpose of paying all or part of



the cost of designing, acquiring, constructing, improving, or extending:

(a) any one or more capital projects; or

(b) any interest in one or more or any combination of capital projects.

(3) Before issuing any bonds, the commission shall determine that the Legislature has:

(a) affirmatively authorized the issuance of the bonds; and

(b) has specified:

(i) the capital projects to be funded; and

(ii) the maximum amount of the bonds[~~;~~and].

~~[(iii) the latest maturity of the bonds.]~~

(4) The commission shall either:

(a) comply with any maturity requirements established by the Legislature; or

(b) in the absence of any maturity requirements, establish, by resolution, a bond maturity date or dates that are not later than 15 years after the date of delivery of the bonds.

~~[(4)]~~ (5) (a) The commission may not issue bonds under this chapter in an amount that violates the limitation described in the Utah Constitution Article XIV, Section 1 or payable beyond the period described in the Utah Constitution Article XIII, Section 5(3).

(b) For purposes of applying the debt limitation contained in the Utah Constitution Article XIV, Section 1, the value of the taxable property in Utah is considered to be 100% of the fair market value of the taxable property of the state as computed from the last assessment for state purposes made before the issuance of the bonds.

#### 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.

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#### **Legislative Review Note**

as of 5-16-03 9:42 AM

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

**Office of Legislative Research and General Counsel**

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**Fiscal Note****Amendments to Master Bond Act***20-May-03***Bill Number HB1001***12:27 PM*

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**State Impact**

No fiscal impact.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**