

**Representative Keven J. Stratton** proposes the following substitute bill:

**PROPOSAL TO AMEND UTAH CONSTITUTION --**

**MUNICIPAL WATER AMENDMENT**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Keven J. Stratton**

Senate Sponsor: \_\_\_\_\_

---

---

**LONG TITLE**

**General Description:**

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify a provision relating to municipal waterworks, water rights, or sources of water supply.

**Highlighted Provisions:**

This resolution proposes to amend the Utah Constitution to:

- ▶ eliminate a restriction against a municipal corporation leasing its waterworks, water rights, or sources of water; and
- ▶ limit the scope of current prohibitions against selling, alienating, or disposing of waterworks, water rights, or sources of water.

**Special Clauses:**

This resolution directs the lieutenant governor to submit this proposal to voters.

This resolution provides a contingent effective date of January 1, 2019 for this proposal.

**Utah Constitution Sections Affected:**

AMENDS:

**ARTICLE XI, SECTION 6**

---

---



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

28 Section 1. It is proposed to amend Utah Constitution, Article XI, Section 6, to read:

29 **Article XI, Section 6. [Municipalities forbidden to sell waterworks or rights.]**

30 No municipal corporation, shall directly or indirectly, [~~lease,~~] sell, alien, or dispose of  
31 any waterworks, water rights, or sources of water supply now, or hereafter to be owned or  
32 controlled by it; but all such waterworks, water rights and sources of water supply now owned  
33 or hereafter to be acquired by any municipal corporation, shall be preserved, maintained and  
34 operated by it for supplying its inhabitants with water at reasonable charges: Provided, That  
35 nothing herein contained shall be construed to prevent any such municipal corporation from:

36 (1) contractually committing water currently in excess of the needs of its inhabitants  
37 for use outside its corporate limits;

38 (2) selling the commodity of water to retail customers outside its corporate limits but  
39 within the area to which the municipal corporation has lawfully extended its physical  
40 distribution system; or

41 (3) exchanging water-rights, or sources of water supply, for other water-rights or  
42 sources of water supply of equal value, and to be devoted in like manner to the public supply of  
43 its inhabitants.

44 Section 2. **Submittal to voters.**

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

47 Section 3. **Contingent effective date.**

48 If the amendment proposed by this joint resolution is approved by a majority of those  
49 voting on it at the next regular general election, the amendment shall take effect on January 1,  
50 2019.