

183 ~~[(5)]~~ (2) (a) Notwithstanding Section [65A-4-1](#), any sale, long-term lease, or other
 184 disposition of real property ~~[or]~~, water rights, or water shares associated with the
 185 developmental center shall be conducted as provided in this Subsection ~~[(5)]~~ (2).

186 (b) The board shall:

187 (i) approve the sale, long-term lease, or other disposition of real property ~~[or]~~, water
 188 rights, or water shares associated with the developmental center;

189 (ii) secure the approval of the Legislature before offering the real property ~~[or]~~, water
 190 rights, or water shares for sale, long-term lease, or other disposition; and

191 (iii) if the Legislature's approval is secured, as described in Subsection ~~[(5)]~~ (2)(b)(ii),
 192 direct the Division of Facilities Construction and Management to convey, lease, or dispose of
 193 the real property ~~[or]~~, water rights, or water shares associated with the developmental center
 194 according to the board's determination.

195 Section 3. Section **62A-5-206.7** is enacted to read:

196 **62A-5-206.7. Utah State Developmental Center Long-Term Sustainability Fund.**

197 (1) There is created a special revenue fund entitled the "Utah State Developmental
 198 Center Long-Term Sustainability Fund."

199 (2) The sustainability fund consists of:

200 (a) revenue generated from the lease, except any lease existing on May 1, 1995, of land
 201 associated with the Utah State Developmental Center;

202 (b) all proceeds from the sale or other disposition of real property, water rights, or
 203 water shares associated with the Utah State Developmental Center; and

204 (c) all existing money in the Utah State Developmental Center Land Fund, created in
 205 Section [62A-5-206.6](#).

206 (3) The state treasurer shall invest sustainability fund money by following the
 207 procedures and requirements in Section [62A-5-206.8](#).

208 (4) (a) The board shall ensure that money or revenue deposited into the ~~§~~→ [trust]
 208a sustainability ←§ fund is
 209 irrevocable and is expended only as provided in Subsection (5).

210 (b) The Legislature may not amend the purposes in Subsection (5) for which money or
 211 revenue in the fund may be expended or committed to be expended, except by the affirmative
 212 vote of two-thirds of all the members elected to each house.

213 (5) (a) Money may be expended from the ~~§~~→ [trust] sustainability ←§ fund to:

214 (i) fulfill the functions of the Utah State Developmental Center described in Sections
 215 62A-5-201 and 62A-5-203; and

216 (ii) assist the division in the division's administration of services and supports
 217 described in Sections 62A-5-102 and 62A-5-103.

218 (b) Money from the sustainability fund may not be expended:

219 (i) for a purpose other than the purposes described in Subsection (5)(a); or

220 (ii) to reduce the amount of money that the Legislature appropriates from the General
 221 Fund for the purposes described in Subsection (5)(a).

222 (6) Money may be expended from the ~~§~~→ [trust] sustainability ←~~§~~ fund only under the
 222a following conditions:

223 (a) if the balance of the sustainability fund is at least \$15,000,000 at the end of the
 224 fiscal year, the board may expend the earnings generated by the sustainability fund during the
 225 fiscal year;

226 (b) if the balance of the sustainability fund is at least \$50,000,000 at the end of the
 227 fiscal year, the Legislature may appropriate to the division up to 5% of the balance of the
 228 sustainability fund for a purpose described in Subsection (5)(a); and

229 (c) the board or the division may not expend any money from the sustainability fund,
 230 except as provided in Subsection (6)(a), without legislative appropriation.

231 (7) The sustainability fund is revocable only by the affirmative vote of two-thirds of all
 232 the members elected to each house of the Legislature.

233 Section 4. Section **62A-5-206.8** is enacted to read:

234 **62A-5-206.8. Management of the Utah State Developmental Center Sustainability**
 235 **Fund.**

236 (1) The state treasurer shall invest the assets of the sustainability fund with the primary
 237 goal of providing for the stability, income, and growth of the principal.

238 (2) Nothing in this section requires a specific outcome in investing.

239 (3) The state treasurer may deduct any administrative costs incurred in managing
 240 sustainability fund assets from earnings before depositing earnings into the sustainability fund.

241 (4) (a) The state treasurer may employ professional asset managers to assist in the
 242 investment of assets of the sustainability fund.

243 (b) The state treasurer may only provide compensation to asset managers from earnings
 244 generated by the sustainability fund's investments.