LEGISLATIVE GENERAL COUNSEL

 Approved for Filing: R.H. Rees 

 02-15-18 10:59 AM 

# H.J.R. 15

1. **PROPOSAL TO AMEND UTAH CONSTITUTION --**
2. **MUNICIPAL WATER AMENDMENT**
3. 2018 GENERAL SESSION
4. STATE OF UTAH

# Chief Sponsor: Keven J. Stratton

1. Senate Sponsor:

7

## LONG TITLE

1. **General Description:**
2. This joint resolution of the Legislature proposes to amend the Utah Constitution to
3. modify a provision relating to municipal waterworks, water rights, or sources of water
4. supply.

## Highlighted Provisions:

1. This resolution proposes to amend the Utah Constitution to:
2. ► eliminate a restriction against a municipal corporation leasing its waterworks, water
3. rights, or sources of water.

## Special Clauses:

1. This resolution directs the lieutenant governor to submit this proposal to voters.
2. This resolution provides a contingent effective date of January 1, 2019 for this proposal.

## Utah Constitution Sections Affected:

1. AMENDS:

## [ARTICLE](#_bookmark0) XI, SECTION 6

23

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

**H.J.R. 15**

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

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

\*HJR015\*H.J.R. 15 02-15-18 10:59 AM

1. No municipal corporation, shall directly or indirectly, [~~lease,~~] sell,
2. alien, or dispose of
3. , water rights, or sources of water supply now, or hereafter to be owned or
4. controlled by it; but all such, water rights and sources of water supply now owned
5. or hereafter to be acquired by any municipal corporation, shall be preserved and maintained by it to supply its inhabitants
6. with water at reasonable charges: Provided, That nothing herein contained shall be construed to
7. prevent any such municipal corporation from:
	* (a) Contractually committing water currently in excess of the needs of the inhabitants
8. to customers within its designated retail service area which is defined by ordinance of the municipal corporation;
9. (b)selling the commodity of water within its designated retail service area,
10. ; or
11. (c) exchanging water rights, or sources of water supply, for other water rights or sources
12. of water supply of equal value, and to be devoted in like manner to the public supply of the
13. inhabitants and customers within its designated retail service area
14. Section 2. **Submittal to voters.**
15. The lieutenant governor is directed to submit this proposed amendment to the voters of
16. the state at the next regular general election in the manner provided by law.
17. Section 3. **Contingent effective date.**
18. If the amendment proposed by this joint resolution is approved by a majority of those
19. voting on it at the next regular general election, the amendment shall take effect on January 1, 42 2021.

## Legislative Review Note

**Office of Legislative Research and General Counsel**

 2 -