LEGISLATIVE GENERAL COUNSEL
Approved for Filing: R.H. Rees
02-15-18 10:59 AM

H.J.R. 15
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.

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

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

No municipal corporation, shall directly or indirectly, [lease, sell, alien, or dispose of]

any waterworks, water rights, or sources of water supply now, or hereafter to be owned or controlled by it; but all such waterworks, water rights and sources of water supply now owned or hereafter to be acquired by any municipal corporation, shall be preserved, and maintained and operated by it for supplying its inhabitants of its designated service area, with water at reasonable charges. Provided, That nothing herein contained shall be construed to prevent any such municipal corporation from:

* (a) Contractually committing water currently in excess of the needs of the inhabitants of

and retail customers within its designated service area for use outside its designated service area;

(b) selling the commodity of water to retail consumers within its designated service area, which service area is defined by that geographic area to which the municipal corporation has extended its water distribution infrastructure;

(c) exchanging water rights, or sources of water supply, for other water rights or sources of water supply of equal value, and to be devoted in like manner to the public supply of its inhabitants of and retail customers within its designated service area.

Section 2. Submittal to voters.

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

Section 3. Contingent effective date.

If the amendment proposed by this joint resolution is approved by a majority of those voting on it at the next regular general election, the amendment shall take effect on January 1, 2021.

Legislative Review Note
Office of Legislative Research and General Counsel