

# Utah Constitution

[Article X](#) Education

**Section Section 5** [State School Fund and Uniform School Fund -- Establishment and use -- Debt guaranty.]

**Article X, Section 5. [State School Fund and Uniform School Fund -- Establishment and use -- Debt guaranty.]**

(1) There is established a permanent State School Fund which shall consist of revenue from the following sources:

- (a) proceeds from the sales of all lands granted by the United States to this state for the support of the public elementary and secondary schools;
- (b) 5% of the net proceeds from the sales of United States public lands lying within this state;
- (c) all revenues derived from nonrenewable resources on state lands, other than sovereign lands and lands granted for other specific purposes;
- (d) all revenues derived from the use of school trust lands;
- (e) revenues appropriated by the Legislature; and
- (f) other revenues and assets received by the fund under any other provision of law or by bequest or donation.

(2) (a) The State School Fund principal shall be safely invested and held by the state in perpetuity.

(b) Only the interest and dividends received from investment of the State School Fund may be expended for the support of the public education system as defined in Article X, Section 2 of this constitution.

(c) The Legislature may make appropriations from school trust land revenues to provide funding necessary for the proper administration and management of those lands consistent with the state's fiduciary responsibilities towards the beneficiaries of the school land trust. Unexpended balances remaining from the appropriation at the end of each fiscal year shall be deposited in the State School Fund.

(d) The State School Fund shall be guaranteed by the state against loss or diversion.

(3) There is established a Uniform School Fund which shall consist of revenue from the following sources:

- (a) interest and dividends from the State School Fund;
- (b) revenues appropriated by the Legislature; and
- (c) other revenues received by the fund under any other provision of law or by donation.

(4) The Uniform School Fund shall be maintained and used for the support of the state's public education system as defined in Article X, Section 2 of this constitution and apportioned as the Legislature shall provide.

(5) (a) Notwithstanding Article VI, Section 29, the State may guarantee the debt of school districts created in accordance with Article XIV, Section 3, and may guarantee debt incurred to refund the school district debt. Any debt guaranty, the school district debt guaranteed thereby, or any borrowing of the state undertaken to facilitate the payment of the state's obligation under any debt guaranty shall not be included as a debt of the state for purposes of the 1.5% limitation of Article XIV, Section 1.

(b) The Legislature may provide that reimbursement to the state shall be obtained from monies which otherwise would be used for the support of the educational programs of the school district which incurred the debt with respect to which a payment under the state's guaranty was made.

[Article X](#) Education

**Section Section 7** [Proceeds of land grants constitute permanent funds.]

**Article X, Section 7. [Proceeds of land grants constitute permanent funds.]**

The proceeds from the sale of lands reserved by Acts of Congress for the establishment or benefit of the state's universities and colleges shall constitute permanent funds to be used for the purposes for which the funds were established. The funds' principal shall be safely invested and held by the state in perpetuity. Any income from the funds shall be used exclusively for the support and maintenance of the respective universities and colleges. The Legislature by statute may provide for necessary administrative costs. The funds shall be guaranteed by the state against loss or diversion.

[Article XX](#) Public Lands

**Section Section 1** [Land grants accepted on terms of trust.]

**Article XX, Section 1. [Land grants accepted on terms of trust.]**

All lands of the State that have been, or may hereafter be granted to the State by Congress, and all lands acquired by gift, grant or devise, from any person or corporation, or that may otherwise be acquired, are hereby accepted, and, except as provided in Section 2 of this Article, are declared to be the public lands of the State; and shall be held in trust for the people, to be disposed of as may be provided by law, for the respective purposes for which they have been or may be granted, donated, devised or otherwise acquired.

[Article XX](#) Public Lands

**Section Section 2** [School and institutional trust lands.]

**Article XX, Section 2. [School and institutional trust lands.]**

Lands granted to the State under Sections 6, 8, and 12 of the Utah Enabling Act, and other lands which may be added to those lands pursuant to those sections through purchase, exchange, or other means, are declared to be school and institutional trust lands, held in trust by the State for the respective beneficiaries and purposes stated in the Enabling Act grants.