

SENATE JOINT RESOLUTION 913

By Haile

A RESOLUTION to propose an amendment to Article II, Section 31 of the Constitution of Tennessee, to allow the investment of state funds in equities.

WHEREAS, because Article II, Section 31 prohibits the State from becoming an owner, in whole or in part, of any bank or a stockholder with others in any association, company, corporation or municipality, the State cannot invest the State's funds in equities, including, but not limited to, ownership in both public and private companies; and

WHEREAS, this prohibition can limit the return that the State receives upon the investment of its funds; and

WHEREAS, the decreased rate of return can inhibit the State's ability to provide needed services to Tennesseans; and

WHEREAS, a constitutional amendment is necessary to ensure that the State is able to invest its funds for the greatest benefit of its citizens; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED TWELFTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that a majority of all the members of each house concurring, as shown by the yeas and nays entered on their journals, that it is proposed that Article II, Section 31 of the Constitution of Tennessee be amended by deleting the section and substituting instead the following:

Section 31. The credit of this state shall not be hereafter loaned or given to or in aid of any person, association, company, corporation, or municipality. The state shall not become the owner, in whole or in part, of any bank or a stockholder with others in any association, company, or corporation. Notwithstanding the foregoing, the governing

body or state official charged with carrying out the purpose or objectives of a fund or trust that is administered or invested by the State Treasury and that contains state funds, in whole or in part, may adopt, with approval of the Treasurer and the Comptroller of the Treasury, an investment policy to authorize all or part of such fund or trust to be invested such that the state would become an owner, in whole or in part, of any bank or a stockholder with others in any association, company, or corporation.

BE IT FURTHER RESOLVED, that the foregoing amendment be referred to the One Hundred Thirteenth General Assembly and that this resolution proposing such amendment be published by the Secretary of State in accordance with Article XI, Section 3 of the Constitution of Tennessee.

BE IT FURTHER RESOLVED, that the Clerk of the Senate is directed to deliver copies of this resolution to the Secretary of State, with this final resolving clause being deleted from such copies.