

# H.B. 483 Compromises Representation of School & Institutional Trust Beneficiaries

## Oppose portions of H.B. 483 that repeal the Land Trusts Protection & Advocacy Office

H.B. 483 prematurely eliminates a critical advocacy function without sufficient review. A study group was established through legislative action in October 2024 to evaluate the proper role of beneficiary advocacy and protection within the Trust System. Preserving the study group process will help determine the most effective avenues to ensure accountability, advocacy, and trust protection for current and future beneficiaries.

### Background: The Role of Trust Lands Advocacy

At statehood, Congress designated lands to be held in trust to generate revenue for 12 public institutions, known as Trust beneficiaries. These lands and financial assets are managed by the School and Institutional Trust Lands Administration (SITLA) and the School and Institutional Trust Funds Office (SITFO) to ensure long-term financial support for beneficiaries.

Recognizing that many beneficiaries lack the resources to monitor and advocate their trust interests, the Utah Legislature established the Land Trusts Protection and Advocacy Office in 2018. The office advances the rights and interests of the beneficiaries through accountability, relationship-building, information sharing, and advocacy. The office is an important check and balance in preserving the integrity and impact of the endowment for current and future beneficiaries. Eliminating the Land Trusts Protection & Advocacy Office without a clear alternative undermines the integrity of the trust system and puts beneficiaries at risk.



SCAN TO LEARN  
MORE ABOUT THE  
TRUST & ITS  
BENEFICIARIES

### H.B. 483 WEAKENS BENEFICIARY PROTECTION & ADVOCACY

Specifically, HB 483:

- Minimizes representation and independent advocacy for Trust Beneficiaries.
- Disregards ongoing legislative review by eliminating the office before the study group completes its work.
- Fails to fully address recommendations from a recent legislative audit.
- Transfers responsibilities to SITLA without sufficient clarity and accountability.

### CURRENT STATUTORY RESPONSIBILITIES OF THE PROTECTION AND ADVOCACY OFFICE



BENEFICIARY REPRESENTATION



TRUST PROTECTION



SYSTEM ACCOUNTABILITY



POLITICAL ADVOCACY

# H.B. 483 Undermines an Established Study Group

In October 2024, the Legislature created a study group to examine the role of beneficiary advocacy and protection within the Trust System. The Study group is tasked with:

- Assessing the best structure for beneficiary advocacy.
- Developing clear accountability measures for trust fund distributions.
- Providing comprehensive recommendations for the 2026 Legislative Session.

The study group began meeting December 2024 and will present recommendations to the Transportation and Infrastructure Appropriations Subcommittee in Fall 2025, with the expectation of legislative action in the 2026 general session.

## STUDY GROUP COMPOSITION

### Senate and House Study Group Co-Chairs

Sen. Derrin R. Owens  
Rep. Jefferson S. Burton

### SITLA Board Chair

Warren Petersen

### Utah State Treasurer & STIFO Board Chair

Marlo Oaks

### Advocacy Committee Chair

Richard Ellis

### Beneficiary Representative

Carl Empey, USDB Finance Director

### Beneficiary Representative

Dr. Cade Douglas, Superintendent & USBE TLAC Vice Chair

### Governor’s Senior Advisor of Public Education

Rich K. Nye,

### Attorney Experienced in Trust Law

Tom Bachtell

## Objectives Being Addressed by the Study Group

- Defining the **appropriate role and structure of advocacy** within the trust system.
- Conducting a **gap analysis** of trust statutes.
- Clarifying the **legal rights of trust beneficiaries**.
- Evaluating the **practical capacity of individual beneficiaries** to engage with trust management.
- Developing **accountability measures** for the use of trust funds.
- Establishing a process for **independent reviews of trust distributions**.
- Creating a **dispute mediation framework** to prevent litigation.
- Reviewing **board nomination processes** for consistency and fairness.
- Addressing **governance issues** to improve system transparency and efficiency.
- Strengthening **communication responsibilities** across trust entities.
- Ensuring **proper checks and balances** to avoid duplicative services.
- Providing a **comprehensive response to audit** recommendations.