

HOUSE BILL NO. HB0042

School capital construction-local bonding.

Sponsored by: School Capital Construction Committee

A BILL

for

1 AN ACT relating to school capital construction; restricting  
2 application of school district bonding eligible for the  
3 state guarantee program; providing for bond refunding as  
4 specified; requiring districts to hold public hearings  
5 prior to submitting bonding proposition; restricting  
6 district bonding eligible for assistance under the mill  
7 levy supplement program; modifying permissible purposes for  
8 bonding; and providing for an effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.** W.S. 9-4-1001(a), (b)(i) and (c),  
13 21-13-701(a)(intro), (b) and by creating a new subsection  
14 (c) and 21-15-105(b) are amended to read:

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16 **9-4-1001. Guarantee program for school district**  
17 **bonds.**

1

2 (a) The state loan and investment board shall  
3 administer a school district bond guarantee program in  
4 accordance with this section and may promulgate rules to  
5 implement it. This program applies to bonds issued by  
6 school districts under W.S. 21-13-701 through 21-13-721 on  
7 or before November 1, 2001, only. The program is intended  
8 to benefit school districts by guaranteeing payment of  
9 bonded indebtedness of creditworthy districts by reducing  
10 the interest rate at which the bonds may be issued.

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12 (b) A school district that seeks the guarantee of  
13 bonds under this program shall apply to the board on forms  
14 prescribed by the board. The board shall review the  
15 application, investigate the applicant district and  
16 determine whether to approve the application based upon:

17

18 (i) The purpose of the bond issue, the  
19 district's need for it, including information from the  
20 needs assessment under W.S. ~~21-15-107~~ 21-15-115, whether  
21 the district would likely remain within constitutional debt  
22 limits after the issue and whether a guarantee under this  
23 section would likely result in reduced costs;

24

1 (c) The board may determine to guarantee bonds under  
2 this section and may impose terms, conditions and limits on  
3 that guarantee as it finds, in its discretion, are  
4 necessary to protect state funds and ensure the viability  
5 of the program. In addition, the board may guarantee the  
6 refunding of bonds issued on or before November 1, 2001,  
7 provided the refunding is not combined with any bonds  
8 issued after November 1, 2001. A decision by the board not  
9 to guarantee bonds under this section is not subject to  
10 judicial review under the Wyoming Administrative Procedure  
11 Act (W.S. 16-3-101 through 16-3-115).

12

13 **21-13-701. Submission of question to electors**  
14 **authorized; purposes for which indebtedness may be created;**  
15 **required public hearing on bonding proposition.**

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17 (a) The board of trustees of a school district may,  
18 after conducting at least two (2) public hearings as  
19 required under subsection (c) of this section, submit to  
20 the qualified electors of the district on a date authorized  
21 under W.S. 22-21-103, the question of creating an  
22 indebtedness for the purpose of:

23

1 (b) The purposes for which an indebtedness may be  
2 created shall be broadly construed. It is the intention of  
3 the legislature that school districts be empowered to  
4 create indebtedness under this section for any purpose  
5 which, directly or indirectly, enables the district to  
6 provide facilities which are ~~adequate to provide~~  
7 ~~educational programs required under W.S. 21-9-101 or which~~  
8 ~~otherwise is related to performing its duties under law~~ in  
9 excess of the statewide standards for the adequacy of  
10 school buildings and facilities.

11  
12 (c) Prior to submitting a bonding proposition to  
13 district voters in accordance with subsection (a) of this  
14 section, the school district board of trustees shall hold  
15 at least two (2) public hearings within the district at  
16 which the board provides an explanation of the need to  
17 obtain district funding for building and facility features  
18 that are in excess of state standards for buildings and  
19 facilities.

20  
21 **21-15-105. Bonded indebtedness mill levy supplement.**

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23 (b) This section only applies to bonds issued on or  
24 before February 23, 2001, the original term of which was

1 for at least ten (10) years. This section shall also apply  
2 to the refunding of bonds issued on or before February 23,  
3 2001, but only to those amounts of the refunding which  
4 constitute original bonds issued on or before February 23,  
5 2001. If a bond has been refunded, the term of the bonds  
6 may be for a period less than or greater than ten (10)  
7 years if the original term of the refunded bond was at  
8 least ten (10) years.

9

10 **Section 2.** This act is effective immediately upon  
11 completion of all acts necessary for a bill to become law  
12 as provided by Article 4, Section 8 of the Wyoming  
13 Constitution.

14

15

(END)