

HOUSE BILL NO. HB0035

Wyoming community development authority.

Sponsored by: Representative(s) Tempest and Senator(s)  
Hawks

A BILL

for

1 AN ACT relating to the Wyoming community development  
2 authority; providing for the liberal construction of  
3 authority's purposes; modifying powers of the authority;  
4 modifying requirements for insurance on notes and mortgages  
5 purchased by the authority; modifying bonding limits;  
6 modifying required priorities for commitment of monies; and  
7 providing for an effective date.

8

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

10

11 **Section 1.** W.S. 9-7-102 by creating a new subsection  
12 (c), 9-7-105(a)(iii) and (xxii), 9-7-106(a)(i), 9-7-108(h),  
13 9-7-120 and 9-7-123(a) and (b)(i) are amended to read:

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15 **9-7-102. Legislative findings.**

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1       (c) This act and the powers of the authority shall be  
2 liberally construed to enable the authority to carry out  
3 its purposes.

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5       **9-7-105. Community development authority; general**  
6 **powers and duties.**

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8       (a) For the purposes of this act, the authority may:

9  
10           (iii) Make and execute contracts and other  
11 instruments, including financial contracts and instruments  
12 which the authority determines are reasonable and advisable  
13 to carry out the purposes and programs of the authority;

14  
15           (xxii) Make loans, including loans to mortgage  
16 lenders to enable the lenders to make loans, to finance  
17 projects, including construction loans and advances, under  
18 terms and conditions, and with security therefore, as the  
19 authority deems appropriate. The authority shall not make  
20 any loan, other than loans to mortgage lenders, which is a  
21 first lien loan to a homeowner with respect to single  
22 family residential property.

23

1           **9-7-106. Community development authority; additional**  
2 **powers; purchase of mortgages; loans to lenders; funds**  
3 **appropriated for low interest mortgages.**

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5           (a) In addition to the other powers granted in this  
6 act, the authority:

7  
8           (i) May purchase from mortgage lenders or make  
9 commitments to purchase, or take assignments from mortgage  
10 lenders of notes and mortgages evidencing loans for the  
11 purchase, construction or rehabilitation of residential  
12 real property in the state. If the notes and mortgages are  
13 financed with bond proceeds, the notes and mortgages shall  
14 be insured or guaranteed in whole or in part by  
15 governmental or private mortgage insurers, including the  
16 fund created by W.S. 9-7-123, or otherwise secured as  
17 provided in the resolution or trust indenture authorizing  
18 bonds of the authority;

19  
20           **9-7-108. Community development authority; revenue**  
21 **bonds; amount authorized.**

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23           (h) In addition to the bonds presently outstanding,  
24 any bonds authorized for care facility projects, ~~and~~ bonds

1 that may be issued to refund bonds, and bonds the authority  
2 may issue from time to time as private activity bonds  
3 exempt from federal income taxation under section 146 of  
4 the internal revenue code of 1986, as amended, the  
5 authority may issue and have outstanding additional bonds  
6 in an aggregate amount of up to four hundred million  
7 dollars (\$400,000,000.00).

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9 **9-7-120. Priorities in commitment of monies.**

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11 The authority shall require as a condition to receiving any  
12 of its money under this chapter that any mortgage lender  
13 receiving money, within the limitation imposed by the  
14 amount of money received, shall give reasonable priority to  
15 mortgage loan applications made directly to the mortgage  
16 lender by qualified, individual home purchasers, before  
17 committing any money received from the authority to  
18 contractors, builders, real estate developers or real  
19 estate agents, except to the extent the authority  
20 determines there is a need to encourage the construction of  
21 affordable housing and it is reasonable and appropriate to  
22 provide or permit commitments to alleviate such need. Any  
23 money committed by a mortgage lender to an individual home

1 purchaser under this act may be used for the purchase of  
2 new or existing residential dwellings.

3

4 **9-7-123. Economic development projects; insurance**  
5 **fund.**

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7 (a) The authority may insure payments required by a  
8 loan, lease or other credit arrangement for any project or  
9 economic development project financed, ~~with bonds issued~~  
10 ~~under W.S. 9-7-122 or otherwise,~~ under terms and conditions  
11 prescribed by the authority. The authority may establish  
12 one (1) or more separate accounts and may require the  
13 payment of fees or premiums, establish application fees and  
14 prescribe application, notification, contract and guaranty  
15 forms, rules, regulations and guidelines.

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17 (b) Insurance acquired by the authority shall:

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19 (i) Be for a project or an economic development  
20 project meeting policies and objectives of this act;

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

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(END)