

SENATE FILE NO. SF0077

School districts-school finance litigation costs.

Sponsored by: Senator(s) Sessions and Coe and Representative(s) Hageman

A BILL

for

1 AN ACT relating to school districts; prohibiting specified  
2 expenditures of funds by school districts for a specified  
3 period of time only; and providing for an effective date.

4

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

6

7 **Section 1.** W.S. 21-3-111(a) (i) and (iv) and by  
8 creating a new subsection (d) is amended to read:

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10 **21-3-111. Powers of boards of trustees.**

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12 (a) The board of trustees in each school district  
13 within the state may:

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1           (i) Except as prohibited by subsection (d) of  
2 this section, sue and be sued in the name by which the  
3 district is designated;

4  
5           (iv) Except as prohibited by subsection (d) of  
6 this section, employ legal counsel and bear the cost of  
7 litigation;

8  
9           (d) Notwithstanding paragraphs (a)(i) and (iv) of  
10 this section, W.S. 1-37-101 through 1-37-115 or any other  
11 provision of law, and effective through school year 2005-  
12 2006 only, a school district board of trustees shall not  
13 directly or indirectly expend any funds of the school  
14 district for legal fees or other expenses in an action  
15 maintained by the district or by any other person against  
16 the state, political subdivision of the state or elected  
17 state official which challenges or questions the  
18 constitutionality or administration of the state's public  
19 school finance system, except in support of the state.

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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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6

(END)