

## HOUSE BILL NO. HB0021

Revenue streams to local governments.

Sponsored by: Representative(s) Martin, Gentile, Johnson,  
L., Latta and McOmie and Senator(s) Boggs,  
Decaria and Job

A BILL

for

1 AN ACT relating to administration of government; amending  
2 various revenues provided to local governments; adjusting  
3 other revenue distributions accordingly; making conforming  
4 amendments; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 9-4-601(d)(iii), (iv) and by creating  
9 a new paragraph (v), 9-4-602(a)(intro), (ii) and by  
10 creating a new paragraph (iv), 9-4-1002(d)(iii)(B)(II),  
11 39-14-211(e)(intro) and by creating a new subsection (k)  
12 and 39-14-801(c), (d)(i), (vi) and (viii) are amended to  
13 read:

14

15 **9-4-601. Distribution and use; funds, accounts,**  
16 **cities and towns benefited; exception for bonus payments.**

1

2 (d) Any revenue received under subsection (a) of this  
3 section in excess of two hundred million dollars  
4 (\$200,000,000.00) shall be distributed as follows:

5

6 (iii) One-third (1/3) to the school foundation  
7 program account; ~~and~~

8

9 (iv) ~~Two-thirds (2/3)~~ Five-ninths (5/9) to the  
10 budget reserve account; ~~and~~ and

11

12 (v) One-ninth (1/9) to be distributed to cities  
13 and towns, each city and town to receive an amount in the  
14 proportion which the population of the city or town bears  
15 to the population of all cities and towns in Wyoming as  
16 determined by resort to the latest federal census as  
17 periodically updated by the bureau of the census.

18

19 **9-4-602. Distribution and use; state treasurer's**  
20 **duty.**

21

22 (a) Except as hereafter provided, distribution under  
23 W.S. 9-4-601 shall be made by the state treasurer within  
24 thirty (30) days after the receipt of the government

1 royalty funds for the preceding period. Federal mineral  
2 royalties received by the state on a continuing monthly  
3 basis shall be distributed under W.S. 9-4-601 by the state  
4 treasurer, subject to the following: ~~and except as~~  
5 ~~otherwise provided by law for fiscal year 1994:~~

6  
7 (ii) Except as provided in ~~paragraph~~ paragraphs  
8 (iii) and (iv) of this subsection, revenues which are both  
9 earned and received during the first three (3) calendar  
10 quarters of the fiscal year shall be distributed within the  
11 first ten (10) days of October, January and April. For the  
12 last quarter of each fiscal year, revenues earned or  
13 received shall be distributed not later than June 30. In  
14 computing distributions for the last quarter, the state  
15 treasurer shall use the most recent consensus revenue  
16 estimating group estimates to the extent that earnings  
17 cannot be determined by June 30. Not later than September  
18 15, the state treasurer shall compute the actual earnings  
19 for the last quarter of the preceding fiscal year and make  
20 adjustments to the October distributions in an amount equal  
21 to the difference between revenues earned and actual  
22 distributions for the preceding fiscal year;

23

1                   (iv) Federal mineral royalties to be distributed  
2 to local governments under W.S. 9-4-601(d)(v) shall be  
3 distributed not later than September 15 for the preceding  
4 fiscal year.

5

6           **9-4-1002. Guarantee program for local government**  
7 **bonds.**

8

9           (d) As a condition of participating in the bond  
10 guarantee program under this section, a city, town or  
11 county shall enter into agreements necessary to provide  
12 that:

13

14                   (iii) If the city, town or county fails to  
15 comply with paragraph (ii) of this subsection:

16

17                           (B) To the extent that the city, town or  
18 county has not deposited sufficient funds with the state to  
19 comply with paragraph (ii) of this subsection, the state is  
20 deemed to have loaned and the city, town or county is  
21 deemed to have borrowed those funds subject to the  
22 following terms and conditions:

23

1 (II) The loan, including principal and  
2 interest, shall be repaid from the city, town or county's  
3 next distributions of federal mineral royalties under W.S.  
4 9-4-601(a)(v) and (d)(v) and of severance taxes under W.S.  
5 39-14-801 (c)(iii) and (d)(v), (vi) or (viii). The loan is  
6 not deemed to be a general obligation of the city, town or  
7 county, and the state shall not require repayment from any  
8 source other than as provided in this subdivision;

9

10 **39-14-211. Distribution.**

11

12 (e) Revenues to be distributed to local governments  
13 under the provisions of W.S. 39-14-801 other than W.S.  
14 39-14-801(c) shall be distributed as follows:

15

16 (k) Revenues to be distributed to local governments  
17 under the provisions of W.S. 39-14-801(c) shall be  
18 distributed not later than September 15 for the preceding  
19 fiscal year.

20

21 **39-14-801. Severance tax distributions; distribution**  
22 **account created; formula.**

23

1 (c) After making distributions under subsection (b)  
2 of this section, distributions under subsection (d) of this  
3 section shall be made from the severance tax distribution  
4 account. The amount of distributions under subsection (d)  
5 of this section shall not exceed one hundred fifty-five  
6 million dollars (\$155,000,000.00) in any fiscal year. To  
7 the extent that distributions under subsection (d) of this  
8 section would exceed that amount in any fiscal year, the  
9 excess shall be credited or distributed:

10  
11 (i) ~~One-third (1/3)~~ One-quarter (1/4) to the  
12 general fund; ~~and~~

13  
14 (ii) ~~Two-thirds (2/3)~~ One-half (1/2) to the  
15 budget reserve account; ~~and~~

16  
17 (iii) One-quarter (1/4) to cities, towns and  
18 counties as follows:

19  
20 (A) Twenty percent (20%) to cities and  
21 towns, each city and town to receive an amount in the  
22 proportion which the population of the city or town bears  
23 to the population of all cities and towns in Wyoming as

1 determined by resort to the latest federal census as  
2 periodically updated by the bureau of the census;

3

4 (B) Eighty percent (80%) to counties, in  
5 the proportion which the population of the county bears to  
6 total state population as determined by resort to the  
7 latest federal census as periodically updated by the bureau  
8 of the census.

9

10 (d) Deposits into the account created by subsection  
11 (a) of this section shall be distributed as follows,  
12 subject to subsections (b) and (c) of this section:

13

14 (i) To the general fund, ~~sixty-two and twenty-~~  
15 ~~six hundredths percent (62.26%)~~ fifty-four and twenty-six  
16 hundredths percent (54.26%);

17

18 (vi) To counties, ~~three and one-tenth percent~~  
19 ~~(3.1%)~~ seven and one-tenth percent (7.1%), each county to  
20 receive an amount in the proportion which the population of  
21 the county bears to total state population, population to  
22 be determined by resort to the latest federal census as  
23 periodically updated by the bureau of the census;

24

1           (viii) To cities and towns, ~~nine and twenty-five~~  
2 ~~hundredths percent (9.25%)~~ thirteen and twenty-five  
3 hundredths percent (13.25%), each city or town to receive  
4 an amount in the proportion which the population of the  
5 city or town bears to the population of all cities and  
6 towns in Wyoming, population to be determined by resort to  
7 the latest federal census as periodically updated by the  
8 bureau of the census;

9

10           **Section 2.** This act shall be applied to revenues  
11 received on or after July 1, 2004.

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13           **Section 3.** This act is effective July 1, 2004.

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(END)