

HOUSE BILL NO. HB0196

Severance tax distributions.

Sponsored by: Representative(s) Buchanan, Edwards,  
Hageman, Prosser and Walsh

A BILL

for

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

5

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

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

12

13           **9-4-1002. Guarantee program for local government**  
14 **bonds.**

15

1           (d) As a condition of participating in the bond  
2 guarantee program under this section, a city, town or  
3 county shall enter into agreements necessary to provide  
4 that:

5

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

8

9           (B) To the extent that the city, town or  
10 county has not deposited sufficient funds with the state to  
11 comply with paragraph (ii) of this subsection, the state is  
12 deemed to have loaned and the city, town or county is  
13 deemed to have borrowed those funds subject to the  
14 following terms and conditions:

15

16           (II) The loan, including principal and  
17 interest, shall be repaid from the city, town or county's  
18 next distributions of federal mineral royalties under W.S.  
19 9-4-601(a)(v) and of severance taxes under W.S.  
20 39-14-801 (c)(iii) and (d)(v), (vi) or (viii). The loan is  
21 not deemed to be a general obligation of the city, town or  
22 county, and the state shall not require repayment from any  
23 source other than as provided in this subdivision;

24

1           **39-14-211. Distribution.**

2

3           (e) Revenues to be distributed to local governments  
4 under the provisions of W.S. 39-14-801 other than W.S.  
5 39-14-801(c) shall be distributed as follows:

6

7           (k) Revenues to be distributed to local governments  
8 under the provisions of W.S. 39-14-801(c) shall be  
9 distributed not later than October 15 for the preceding  
10 fiscal year.

11

12           **39-14-801. Severance tax distributions; distribution**  
13 **account created; formula.**

14

15           (c) After making distributions under subsection (b)  
16 of this section, distributions under subsection (d) of this  
17 section shall be made from the severance tax distribution  
18 account. The amount of distributions under subsection (d)  
19 of this section shall not exceed one hundred fifty-five  
20 million dollars (\$155,000,000.00) in any fiscal year. To  
21 the extent that distributions under subsection (d) of this  
22 section would exceed that amount in any fiscal year, the  
23 first seventy-five million dollars (\$75,000,000.00) in  
24 excess shall be credited one-third (1/3) to the general

1 fund and two-thirds (2/3) to the budget reserve account,  
2 thereafter the excess shall be credited or distributed as  
3 follows:

4  
5 (i) One-third (1/3) to the general fund;~~and~~

6  
7 (ii) ~~Two-thirds (2/3)~~ One-third (1/3) to the  
8 budget reserve account; ~~and~~

9  
10 (iii) One-third (1/3) to cities, towns and  
11 counties as follows:

12  
13 (A) Fifty percent (50%) to cities and  
14 towns, each city and town to receive an amount in the  
15 proportion which the population of the city or town bears  
16 to the population of all cities and towns in Wyoming as  
17 determined by resort to the latest federal census as  
18 periodically updated by the bureau of the census;

19  
20 (B) Fifty percent (50%) to counties, in the  
21 proportion which the population of the county bears to  
22 total state population as determined by resort to the  
23 latest federal census as periodically updated by the bureau  
24 of the census.

1

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

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6 (i) To the general fund, ~~sixty-two and twenty-~~  
7 ~~six hundredths percent (62.26%)~~ fifty-four and twenty-six  
8 hundredths percent (54.26%);

9

10 (vi) To counties, ~~three and one-tenth percent~~  
11 ~~(3.1%)~~ seven and one-tenth percent (7.1%), each county to  
12 receive an amount in the proportion which the population of  
13 the county bears to total state population, population to  
14 be determined by resort to the latest federal census as  
15 periodically updated by the bureau of the census;

16

17 (viii) To cities and towns, ~~nine and twenty-five~~  
18 ~~hundredths percent (9.25%)~~ thirteen and twenty-five  
19 hundredths percent (13.25%), each city or town to receive  
20 an amount in the proportion which the population of the  
21 city or town bears to the population of all cities and  
22 towns in Wyoming, population to be determined by resort to  
23 the latest federal census as periodically updated by the  
24 bureau of the census;

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2       **Section 2.** This act shall be applied to revenues  
3 earned on or after July 1, 2004.

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

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7

(END)