

ORIGINAL HOUSE  
BILL NO. 0227

ENROLLED ACT NO. 64, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2005 GENERAL SESSION

AN ACT relating to the University of Wyoming; establishing a challenge account to honor eight student athletes killed in a vehicle accident and to be used for funding a university athletic facilities matching program; defining terms and specifying matching program conditions for the account; and providing for an effective date.

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

**Section 1.** W.S. 21-16-1001(a)(ii) and by creating a new paragraph (iii) and 21-16-1003(a)(i), (ii) and by creating a new paragraph (vii) are amended to read:

**21-16-1001. Definitions.**

(a) As used in this article:

(ii) "Qualifying contribution" means a transfer of money or other property of a value of not less than twenty-five thousand dollars (\$25,000.00), except as provided in W.S. 21-16-1003(a)(vii), to the University of Wyoming foundation to be expended exclusively for university intercollegiate athletic facilities consistent with the 2003 intercollegiate athletics plan approved by the university board of trustees and also includes contributions meeting the requirements of W.S. 21-16-1003(a)(vii). The commitment for a qualifying contribution or the contribution itself shall be made during the period of time beginning September 13, 2003, and ending December 31, 2006. The contribution shall be actually received by the University of Wyoming foundation on or before December 31, 2008; ~~;~~

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(iii) "The challenge eight account" means the account established under W.S. 21-16-1003(a)(vii) within the challenge account.

**21-16-1003. Athletics challenge matching program; state treasurer to administer program account; matching payments; conditions; annual reports; reversion of appropriations.**

(a) The state treasurer shall administer the university athletics challenge account established under this article. The following shall apply:

(i) To the extent that funds are available in the challenge account, the state treasurer shall match each qualifying contribution actually received by the University of Wyoming foundation by transferring from the challenge account to the university an amount equal to the amount of the qualifying contribution. Qualifying contributions made directly to the university shall be considered qualifying contributions to the foundation for purposes of this article. Except as provided in paragraph (vii) of this subsection, the university shall expend both the qualifying contributions and the matching funds solely for the cost of establishing new or renovating existing university intercollegiate athletics facilities consistent with the 2003 intercollegiate athletics plan approved by the university board of trustees. Authorized expenditures for intercollegiate athletic facilities include but are not limited to all expenditures necessary for planning, designing, procuring contractors, construction management and actual construction;

(ii) The state treasurer shall make transfers to the university under this section not later than the end of the calendar quarter following the quarter during which the qualifying contribution is received. Except as provided in

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subparagraph (vii) (B) of this subsection, if a qualifying contribution is made through a series of payments or transfers, no matching funds shall be transferred by the state treasurer until the total value of all payments or transfers actually received toward the contribution totals at least twenty-five thousand dollars (\$25,000.00). Thereafter, matching funds shall be transferred as payments or transfers toward that qualifying contribution are received by the foundation;

(vii) There is created within the university athletics challenge account an account called the challenge eight account. Notwithstanding the minimum contribution requirement under W.S. 21-16-1001(a)(ii), donations to the challenge eight account shall be deemed qualifying contributions for purposes of this act subject to the following:

(A) The purpose of the challenge eight account is to provide an opportunity for any person to contribute to a fund in honor of the eight (8) University of Wyoming student athletes who lost their lives on September 13, 2001. Funds deposited in the challenge eight account shall be used exclusively to improve or develop university track and field facilities toward a goal of providing a venue suitable for hosting conference championships and with appropriate recognition of the eight (8) student athletes;

(B) Matching funds shall not be transferred to the challenge eight account pursuant to paragraph (a)(i) of this section until at least one (1) donor has made a contribution to the challenge eight account of at least twenty-five thousand dollars (\$25,000.00). Thereafter, contributions to the challenge eight account of any amount within the time periods

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specified in subsection W.S. 21-16-1002(a)(ii) shall qualify for matching funds in accordance with this section; and

(C) A maximum of four hundred thousand dollars (\$400,000.00) in contributions to the challenge eight account may be matched under this paragraph yielding a total of eight hundred thousand dollars (\$800,000.00).

**Section 2.** This act is effective July 1, 2005.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk