

ENROLLED ACT NO. 19, SENATE

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2018 BUDGET SESSION

AN ACT relating to financial obligations owed to the state; specifying that a fee may be assessed for a state financial obligation that is submitted to a collection agency to cover the costs of collection; authorizing contracting; and providing for an effective date.

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

Section 1. W.S. 9-1-415(a), 39-15-107(b)(x) and 39-16-107(b) by creating a new paragraph (ix) are amended to read:

9-1-415. Collection of debts due the state; discharge of uncollectible debts.

(a) Except as provided in subsections (e) and (f) of this section, any office or agency of the state may use the services of a collection agency licensed in Wyoming to assist in the collection of debts due the state or any state office or agency. Any person owing a debt submitted to a collection agency under this section may be assessed a fee in an amount necessary to cover the cost of collection, not to exceed twenty percent (20%) of the debt owed. The collection agency shall collect the fee with the debt that is submitted for collection.

39-15-107. Compliance; collection procedures.

(b) Payment. The following shall apply:

(x) The department may enter into contracts with collection agencies for required collection services on deficiencies of sales tax occurring under W.S. 39-15-101 through 39-15-111. ~~from and after the reporting period of January, 1989.~~ Any taxes ~~collected~~ recovered by the

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collection agencies and remitted to the department shall be distributed in accordance with W.S. 39-15-111(b). ~~There is continuously appropriated from the general fund, to the department, an amount equal to the cost of collection under each contract but not to exceed fifty percent (50%) of the amounts collected by collection agencies, under a contract. The department shall expend those funds appropriated solely for collection agency services and may authorize in the contracts for those services that collection agency costs be deducted from funds collected and~~ Any person owing a tax submitted to a collection agency may be assessed a fee in an amount necessary to cover the cost of collection, not to exceed twenty percent (20%) of the tax owed, as provided in W.S. 9-1-415(a). The collection agency shall collect the fee with the tax that is submitted for collection and the amount collected as a fee may be deducted from funds remitted to the department. The contracts entered into under this paragraph shall not be for a term of more than two (2) years and shall be awarded only after competition;

39-16-107. Compliance; collection procedures.

(b) Payment. The following shall apply:

(ix) The department may enter into contracts with collection agencies for required collection services on deficiencies of use tax occurring under W.S. 39-16-101 through 39-16-111. Any taxes recovered by the collection agencies and remitted to the department shall be distributed in accordance with W.S. 39-16-111(b). Any person owing a tax submitted to a collection agency may be assessed a fee in an amount necessary to cover the cost of collection, not to exceed twenty percent (20%) of the tax owed, as provided in W.S. 9-1-415(a). The collection agency shall collect the fee with the tax that is submitted for

ORIGINAL SENATE
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collection and the amount collected as a fee may be deducted from funds remitted to the department. The contracts entered into under this paragraph shall not be for a term of more than two (2) years and shall be awarded only after competitive bidding.

Section 2. This act is effective July 1, 2018.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk