

HOUSE BILL NO. HB0216

Wyoming children's trust fund-amendments.

Sponsored by: Representative(s) Larsen

A BILL

for

1 AN ACT relating to the Wyoming children's trust fund; amending
2 the trust fund; creating the Wyoming children's income
3 account; authorizing expenditure of the income account as
4 specified; providing for the transfer of funds; making
5 conforming amendments; providing an appropriation; and
6 providing for effective dates.

7

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

9

10 **Section 1.** W.S. 14-8-103(a)(iv), (v) and by creating a
11 new paragraph (vi), 14-8-105(a)(v) and (vi), 14-8-106,
12 14-8-107(a) and 35-1-428(b) are amended to read:

13

14 **14-8-103. Definitions.**

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16 (a) As used in this article:

1

2 (iv) "Recipient" means and is limited to a
3 nonprofit or public organization which receives a grant from
4 the ~~trust fund~~ income account created in W.S. ~~14-8-106~~
5 14-8-106(b);

6

7 (v) "Trust fund" means the Wyoming children's
8 trust fund created in W.S. ~~14-8-106.~~ 14-8-106(a);

9

10 (vi) "Income account" means the Wyoming children's
11 income account created by W.S. 14-8-106(b).

12

13 **14-8-105. Powers and duties of the board.**

14

15 (a) The board shall:

16

17 (v) Accept grants from the federal government as
18 well as solicit and accept contributions, grants, gifts,
19 bequests and donations from individuals, private
20 organizations and foundations for credit to the trust fund or
21 the income account as directed by the terms of the
22 contribution, grant, gift, bequest or donation;

23

1 (vi) Expend monies of the ~~trust fund~~ income
2 account for the establishment, promotion and maintenance of
3 prevention programs, ~~and~~ for operational expenses of the
4 board and to increase the balance of the trust fund corpus;

5
6 **14-8-106. Wyoming children's trust fund and income**
7 **account; creation; source of funds.**

8
9 (a) There is created the Wyoming children's trust fund.
10 The fund shall be administered by the board and shall consist
11 of monies appropriated or designated to the fund by law and
12 all monies collected by the board ~~from federal grants and~~
13 ~~other contributions, grants, gifts, bequests and donations.~~
14 ~~The monies shall be transmitted to the state treasurer for~~
15 ~~credit to the trust fund and shall be invested by~~ pursuant to
16 W.S. 14-8-105(a)(v) for credit to the trust fund. Funds
17 deposited within the trust fund are intended to be inviolate
18 and constitute a perpetual trust account. The state treasurer
19 shall invest the account as authorized under W.S. 9-4-715(a),
20 (d) and (e) in a manner to obtain the highest return possible
21 consistent with the preservation of the trust fund corpus.
22 ~~Any interest earned on the investment or deposit of monies in~~

1 ~~the fund shall also remain in the fund and shall not be~~
2 ~~credited to the general fund.~~

3
4 (b) There is created the Wyoming children's income
5 account. The account shall be administered by the board and
6 shall consist of monies appropriated or designated to the
7 account by law and all monies collected by the board pursuant
8 to W.S. 14-8-105(a)(v) for credit to the income account. The
9 state treasurer shall credit annually to the income account
10 the income earned from investment of the trust fund corpus.
11 All funds in the income account at the end of a biennium shall
12 remain in the account for expenditure as authorized in this
13 article.

14
15 **14-8-107. Disbursement of grants from the income**
16 **account.**

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18 (a) Grants may be awarded from the income account to
19 provide monies for the start-up, continuance or expansion of
20 prevention programs, to provide educational and public
21 informational seminar and to study and evaluate prevention
22 programs.

23

1 **35-1-428. Fees for copies and searches; surcharge.**

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3 (b) In addition to fees imposed by department rule and
4 regulation under subsection (a) of this section, the
5 department shall collect a surcharge of five dollars (\$5.00)
6 for each copy of a certificate or record issued pursuant to
7 this article and five dollars (\$5.00) for each five (5) year
8 period or portion thereof that a search of files or records
9 is undertaken pursuant to this article. Revenues collected
10 from the surcharge imposed under this subsection shall be
11 deposited by the state treasurer into the Wyoming children's
12 trust fund established under W.S. ~~14-8-106~~14-8-106(a).

13

14 **Section 2.** W.S. 14-8-107(b) and (c) is repealed.

15

16 **Section 3.**

17

18 (a) On June 30, 2020, the state auditor shall transfer
19 funds from the Wyoming children's trust fund created in W.S.
20 14-8-106(a) to the Wyoming children's income account created
21 in W.S. 14-8-106(b) as follows:

22

1 (i) Any unexpended income earned from investment
2 of the Wyoming children's trust fund attributable to the
3 fiscal years 2019 and 2020, as calculated by the state
4 treasurer;

5

6 (ii) Any monies received from the federal
7 government and any contributions, grants, gifts, bequests and
8 donations from individuals, private organizations and
9 foundations collected by the Wyoming children's trust fund
10 board on or before June 30, 2020.

11

12 **Section 4.** On the effective date of this section, there
13 is appropriated to the Wyoming children's trust fund board
14 two hundred seventy thousand dollars (\$270,000.00), or as
15 much thereof as is available from income earned on investment
16 of the Wyoming children's trust fund created in W.S. 14-8-106
17 attributable to fiscal years 2016 through 2018. This
18 appropriation shall be for the period beginning with the
19 effective date of this section and ending June 30, 2020. This
20 appropriation shall only be expended for grants authorized
21 under W.S. 14-8-107(a). Notwithstanding any other provision
22 of law, this appropriation shall not be transferred or
23 expended for any other purpose and any unexpended,

1 unobligated funds remaining from this appropriation shall
2 revert on July 1, 2020 to the Wyoming children's trust fund
3 income account, as created in Section 1 of this act. This
4 appropriation shall not be included in the Wyoming children's
5 trust fund 2021-2022 standard budget request.

6

7 **Section 5.**

8

9 (a) Except as provided in subsection (b) of this
10 section, this act is effective immediately upon completion of
11 all acts necessary for a bill to become law as provided by
12 Article 4, Section 8 of the Wyoming Constitution.

13

14 (b) Sections 1 through 3 of this act are effective July
15 1, 2020.

16

17

(END)