

HOUSE BILL NO. HB0015

School capital construction account.

Sponsored by: Select Committee on School Facilities

A BILL

for

1 AN ACT relating to school finance accounts; authorizing
2 interfund loans for school major maintenance payments;
3 eliminating the major maintenance subaccount within the
4 strategic investments and projects account; eliminating the
5 school lands mineral royalties account; maintaining the
6 current distribution of revenue for school related major
7 maintenance and capital construction and directing those
8 revenues to the school capital construction account;
9 amending related bonding provisions; and providing for an
10 effective date.

11

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

13

14 **Section 1.** W.S. 21-15-124 is created to read:

15

16 **21-15-124. Interfund borrowing.**

1

2 The state treasurer may utilize interfund loans to the
3 school capital construction account to ensure statutory
4 payments made pursuant to W.S. 21-15-109(b) are made when
5 dedicated revenues are not yet received. Interfund loans
6 under this subsection may be made from the legislative
7 stabilization reserve account or, to the extent
8 insufficient funds exist in the legislative stabilization
9 reserve account, the common school account within the
10 permanent land fund. Any interfund loans executed pursuant
11 to this section shall be repaid in whole or in part
12 periodically as soon as school capital construction account
13 revenues permit.

14

15 **Section 2.** W.S. 9-1-417(b), 9-2-1013(f),
16 9-4-220(b)(i) and 21-15-111(a)(viii) are amended to read:

17

18 **9-1-417. Interfund loans; repayment; maximum amount;**
19 **interest.**

20

21 (b) To the extent the legislature provides for
22 interfund loans or borrowing authority from one (1) agency,
23 account or fund to another, the interfund loan or borrowing

1 shall come out of the legislative stabilization reserve
2 account to be credited to the borrowing agency, account or
3 fund, except as authorized by W.S. 21-13-316 and 21-15-124.
4 The interest charged on each interfund loan or borrowing
5 from the legislative stabilization reserve account shall be
6 the interest rate earned on pooled fund investments for the
7 fiscal year immediately preceding the effective date of the
8 interfund loan.

9

10 **9-2-1013. State budget; distribution of copies to**
11 **legislators; copies and reports of authorizations;**
12 **interfund loans.**

13

14 (f) Except for an interfund loan made under W.S.
15 21-13-316 or 21-15-124, an interfund loan from permanent
16 funds for which an interest rate is not specified by law
17 shall be charged an interest rate equal to the CPI for the
18 twelve (12) month period immediately preceding the
19 effective date of the interfund loan. "CPI" means the
20 consumer price index for United States city average, all
21 urban consumers, not seasonally adjusted, reported by the
22 bureau of labor statistics of the United States department
23 of labor.

1

2 **9-4-220. Strategic investments and projects account**
3 **created; purposes.**

4

5 (b) For fiscal year 2021 and in each fiscal year
6 thereafter unencumbered and unobligated funds available for
7 expenditure in the strategic investments and projects
8 account shall be expended for the following purposes and
9 subject to the following:

10

11 (i) An amount equal to forty-five percent (45%)
12 of the maximum amount which may be credited to the
13 strategic investments and projects account pursuant to W.S.
14 9-4-719(q) shall be credited to ~~a school major maintenance~~
15 ~~subaccount. Funds within the subaccount shall be expended~~
16 ~~only for school major maintenance obligations of the state.~~
17 ~~For purposes of accounting and investing only, the school~~
18 ~~major maintenance subaccount shall be treated as a separate~~
19 ~~account from the strategic investments and projects~~
20 ~~account;~~ the school capital construction account;

21

22 **21-15-111. Definitions.**

23

1 (a) As used in this act, unless the context requires
2 otherwise:

3
4 (viii) "This act" means W.S. 21-15-108,
5 21-15-109 and 21-15-111 through ~~21-15-123~~21-15-124;

6
7 **Section 3.** W.S. 9-4-305(b), 21-15-108(a) and (d)(vii)
8 and 21-15-111(a)(i), as amended by 2019 Wyoming Session
9 Laws, Chapter 204, Section 3, are amended to read:

10

11 **9-4-305. Disposition of state land revenue.**

12

13 (b) Proceeds from the sale of state lands, mineral
14 royalties and any money designated by the Wyoming
15 constitution or Wyoming statutes as collected shall be
16 transmitted to the state treasurer and credited to the
17 proper accounts within the permanent land fund. As
18 authorized by article 7, section 2 of the Wyoming
19 constitution, thirty-three and one-third percent (33 1/3%)
20 of the mineral royalties received from the lease of any
21 school lands shall be deposited into the school ~~lands~~
22 ~~mineral royalties account~~capital construction account. To
23 the extent constitutionally permissible and notwithstanding

1 any other provision of law, at the end of every fiscal
2 year, the state treasurer shall transfer to the corpus of
3 each account within the permanent land fund, except the
4 common school account, from the income earned on the
5 corresponding account within the permanent land fund, to
6 the extent available, an amount as provided by this
7 subsection. In determining the amount to be withheld, the
8 state treasurer shall calculate the fiscal year beginning
9 balance and ignore any appropriations made from the account
10 within that fiscal year. For the fiscal year 2000, he shall
11 transfer an amount equal to five percent (5%) of the
12 inflation rate for the previous twelve (12) month period as
13 determined by the department of administration and
14 information multiplied by the beginning balance of each
15 permanent land fund account, except the common school
16 account. At the end of each succeeding fiscal year, the
17 state treasurer shall increase the amount to be multiplied
18 by that year's inflation rate by five percent (5%) until
19 such time as the multiplier reaches one hundred percent
20 (100%) of the inflation rate, and then multiply that amount
21 by the beginning balance of each permanent land fund
22 account, except the common school account.

23

1 **21-15-108. Revenue bonds for grants and loans;**
2 **refunding revenue bonds.**

3
4 (a) Before distribution to the school ~~lands mineral~~
5 ~~royalties account~~ capital construction account under W.S.
6 9-4-305(b), sufficient revenues for the purposes of this
7 section shall be deducted therefrom and credited to a bond
8 repayment account pursuant to the terms of the resolution,
9 indenture or other appropriate proceeding authorizing the
10 issuance of revenue bonds under this section. The revenues
11 deducted shall be used as provided by this section. The
12 balance of the revenues shall be credited to the school
13 ~~lands mineral royalties account~~ capital construction
14 account as provided under W.S. 9-4-305(b). After available
15 revenues under W.S. 9-4-305(b) have been used, revenues
16 under W.S. 21-13-301 shall also be credited, as necessary,
17 to the bond repayment account and shall be used as provided
18 by this section.

19

20 (d) Any bonds issued under this section shall:

21

22 (vii) Be additionally secured by a reserve fund
23 created from revenues deposited within the school ~~lands~~

1 ~~mineral royalties account~~ capital construction account
2 under W.S. 9-4-305(b) or from the proceeds of the bonds, or
3 both, in an amount determined by the commission but not to
4 exceed an amount equal to ten percent (10%) of the revenue
5 bonds outstanding.

6

7 **21-15-111. Definitions.**

8

9 (a) As used in this act, unless the context requires
10 otherwise:

11

12 (i) "Capital construction account" or "school
13 capital construction account" means the account into which
14 revenues are deposited pursuant to W.S. 9-4-220(b)(i),
15 9-4-305(b) and 9-4-601(a)(vii), (b)(i) and (iv), into which
16 the proceeds from any revenue bonds are credited under W.S.
17 21-15-108, into which loans are deposited pursuant to W.S.
18 21-15-124 and into which any other funds are appropriated
19 to the account for purposes of this act. Funds within the
20 account shall be expended only for purposes of and in the
21 manner prescribed by this act;

22

23 **Section 4.** W.S. 9-4-224 is repealed.

