

HOUSE BILL NO. HB0263

State coronavirus recovery funding.

Sponsored by: Representative(s) Nicholas

A BILL

for

1 AN ACT relating to emergency funding of government;
2 authorizing emergency government programs as specified;
3 requiring reporting; providing for rulemaking; authorizing
4 the expenditure of a portion of the state's remaining CARES
5 Act funds; providing appropriations; reappropriating funds;
6 specifying conditions on appropriations and expenditure of
7 funds; and providing for an effective date.

8

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

10

11 **Section 1.**

12

13 (a) To carry out the expenditure of federal funds
14 authorized by subsection (b) of this section, the governor
15 is authorized to establish by order or rule any emergency
16 program that is consistent with the terms of this act and

1 the federal gift, grant or appropriation if the program can
2 be fully supported by federal funds appropriated under this
3 act or other existing appropriations and does not obligate
4 the state to any expenditure of state funds not previously
5 appropriated by the legislature. Any emergency program
6 created under the authority granted in this subsection
7 shall expire on June 30, 2023 unless expressly continued by
8 act of the legislature.

9

10 (b) Subject to the limitations provided in subsection
11 (c) through (e) of this section, any federal funds provided
12 to the state for COVID-19 related purposes including from
13 the Coronavirus Relief Fund Act, the Coronavirus Aid,
14 Relief and Economic Security (CARES) Act, P.L. 116-136, or
15 other similarly purposed federal act, that do not accrue to
16 any agency under W.S. 9-2-1006(a) and which were not
17 appropriated within 2021 Senate File 0118 are appropriated
18 to the office of the governor for the emergency expenses of
19 government that are consistent with the terms of the
20 federal gift, grant or appropriation and subject to the
21 provisions of this subsection. In accordance with W.S.
22 9-4-205(a), this appropriation of federal funds shall be
23 subject to further legislative review and appropriation.

1 This appropriation shall only be expended for the following
2 purposes:

3

4 (i) For any expenses incurred by state entities,
5 school districts or Wyoming community college districts to
6 respond to the public health emergency and the impacts
7 caused by COVID-19 as determined by the governor. As used
8 in this paragraph, "state entity" includes any state
9 office, department, board, council, commission, separate
10 operating agency, institution or other instrumentality or
11 operating unit of the state including the University of
12 Wyoming;

13

14 (ii) To replace revenue lost, delayed or
15 decreased to the state of Wyoming as a result of the COVID-
16 19 emergency and based on revenue projections of the
17 consensus revenue estimating group as of January 27, 2020;

18

19 (iii) To provide grants for expenses incurred by
20 Wyoming health care providers and health care facilities,
21 including capital construction expenses incurred, to
22 respond to the public health emergency caused by COVID-19
23 or to improve the state's health care delivery system and

1 infrastructure for responding to public health emergency
2 caused by COVID-19. Grants provided under this paragraph
3 shall be subject to the approval of the state loan and
4 investment board;

5

6 (iv) For operational or capital construction
7 expenses at the Wyoming life resource center and the
8 Wyoming state hospital to improve the state's capacity to
9 respond to the public health emergency caused by COVID-19;

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11 (v) For any expenses incurred by the state to
12 respond to the public health emergency to address food
13 insecurity caused or exacerbated by COVID-19 as determined
14 by the governor;

15

16 (vi) For any COVID-19 related expenses and
17 expenditures of the judicial branch;

18

19 (vii) For any COVID-19 related expenses and
20 expenditures of the legislative branch;

21

22 (viii) To cover other costs to the state or
23 citizens of businesses of the state to address the negative

1 impact caused by the COVID-19 pandemic. Business relief
2 programs under this act shall be administered by a state
3 entity as determined by the governor;

4

5 (ix) Any other COVID-19 related purposes
6 authorized by federal law.

7

8 (c) No expenditure of funds shall be made under this
9 section except in accordance with state and federal laws,
10 regulations and orders. The governor shall by order or
11 rule, adopt provisions to ensure that adequate
12 consideration is provided to the state for the expenditure
13 of public funds on grants authorized under this act.

14

15 (d) As a condition of receiving any grant, aid or
16 distribution authorized under this section, the recipient
17 shall report to the governor and legislature the amount of
18 all federal loans, grants or aid provided for COVID-19
19 related purposes including from the Coronavirus Relief Fund
20 Act, the Coronavirus Aid, Relief and Economic Security
21 (CARES) Act, P.L. 116-136 or other similarly purposed
22 federal act for which the recipient:

23

1 (i) Is eligible, as determined by the recipient;

2

3 (ii) Has applied;

4

5 (iii) Has received.

6

7 (e) The governor's office shall implement by rule
8 reporting requirements for recipients of any grant,
9 distribution or aid authorized under this section
10 sufficient to comply with all federal reporting
11 requirements.

12

13 **Section 2.**

14

15 (a) Except as provided in this section, there is
16 appropriated all unexpended, unencumbered and unobligated
17 funds received by the state of Wyoming to the state auditor
18 from the Coronavirus Relief Fund Act, the Coronavirus Aid,
19 Relief and Economic Security (CARES) Act, P.L. 116-136 or
20 other similarly purposed federal act, including funds
21 originally appropriated in 2020 Wyoming Special Session
22 Laws, Chapter 1, Section 2(b), Chapter 2, Section 4(d) and
23 Chapter 3, Sections 2(h), 3(h) and 4(g). The governor may

1 immediately transfer funds reappropriated under this
2 section to the state agency or entity designated to approve
3 the project, grant or procurements as provided in section 1
4 of this act. All transfers authorized under this section
5 shall be approved by the governor and reported to the
6 legislature and the joint appropriations committee as
7 provided in W.S. 9-4-206, 9-2-1005(b)(ii) and (g) and
8 9-2-1013(b). This appropriation shall not be transferred
9 or expended for any purpose except as provided in this
10 subsection. Any unobligated, unencumbered and unexpended
11 funds remaining from this reappropriation on June 30, 2023
12 shall be deposited to the general fund unless otherwise
13 provided by federal law.

14

15 (b) Funds appropriated in 2021 Senate File 0118 as
16 enacted into law shall not be included within the
17 appropriation under subsection (a) of this section.

18

19 **Section 3.** Any agency or entity authorized by or
20 under this act to administer any program, grant or other
21 disbursement may adopt rules, including emergency rules, as
22 necessary to fulfill its powers and duties in accordance
23 with the Wyoming Administrative Procedure Act.

1

2 **Section 4.** This act is effective immediately upon
3 completion of all acts necessary for a bill to become law
4 as provided by Article 4, Section 8 of the Wyoming
5 Constitution.

6

7

(END)