

ORIGINAL SENATE
FILE NO. SF0067

ENROLLED ACT NO. 68, SENATE

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2024 BUDGET SESSION

AN ACT relating to public employee retirement; increasing the employer and employee contributions for the public employee retirement plan; specifying how increased employee contributions shall be paid; removing obsolete language; providing appropriations; and providing for an effective date.

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

Section 1. W.S. 9-3-412(a) and 9-3-413 are amended to read:

9-3-412. Members' contributions; payroll deductions; employer authorized to pay employee's share.

(a) Except as otherwise provided in this section and W.S. 9-3-431 and 9-3-432, every member covered under this article, shall pay into the account ~~eight and one-half percent (8.5%) of his salary for the period from September 1, 2018 through June 30, 2019, eight and three-quarters percent (8.75%) of his salary for the period from July 1, 2019 through June 30, 2020, nine percent (9%) of his salary for the period from July 1, 2020 through June 30, 2021 and thereafter~~ nine and one-quarter percent (9.25%) of his salary for the period from July 1, 2021 through June 30, 2024, nine and one-half percent (9.50%) of his salary for the period from July 1, 2024 through June 30, 2025 and thereafter nine and three-quarters percent (9.75%) of his salary. Every firefighter member covered under this article shall pay into the account seven percent (7%) of his salary. Payments shall be deducted each pay period from each member's salary by the chief fiscal officer of each participating employer. Employee contributions shall be transferred to the account in accordance with subsection (c) of this section.

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9-3-413. Employer's contributions; payable monthly; transfer to account; interest imposed upon delinquent contributions; recovery.

Except as provided by W.S. 9-2-3207(a)(xi)(F)(III) or (IV), 9-3-431 and 9-3-432, each employer excluding employers of firefighter members, shall, on a monthly basis, pay into the account a contribution equal to ~~eight and sixty two hundredths percent (8.62%) of the salary paid to each of its members covered under this article for the period from September 1, 2018 through June 30, 2019, eight and eighty seven hundredths percent (8.87%) of the salary paid for the period from July 1, 2019 through June 30, 2020, nine and twelve hundredths percent (9.12%) of the salary paid for the period from July 1, 2020 through June 30, 2021 and thereafter~~ nine and thirty-seven hundredths percent (9.37%) of the salary paid for the period from July 1, 2021 through June 30, 2024, nine and sixty-two hundredths percent (9.62%) of the salary paid for the period from July 1, 2024 through June 30, 2025 and thereafter nine and eighty-seven hundredths (9.87%) of the salary paid. Employers of firefighter members shall pay into the account a contribution equal to seven and twelve hundredths percent (7.12%) of the salary paid. Employer contributions for any month, together with the members' contributions for that month, if any, shall be transferred to the board not later than the twelfth day of the following month. These contributions shall be credited to the account in a manner as directed by the board. Any employer failing to transfer contributions under this section in sufficient time for the board to receive the contributions by the twenty-fifth day of the month due shall be assessed interest at the assumed rate of return as determined by the board, compounded annually. Interest imposed under this section shall be

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payable not later than the twelfth day of the next succeeding month. If the contributions and any interest imposed under this section are not transferred to the board when due, they may be recovered, together with court costs, in an action brought for that purpose in the first judicial district court in Laramie County, Wyoming.

Section 2.

(a) As used in this section, "state agency" includes each state executive, legislative or judicial department, board, commission or other agency or instrumentality of the state and, for purposes of subsections (d) and (k) of this section, includes the University of Wyoming and each community college.

(b) There is appropriated three million four hundred eighty-three thousand dollars (\$3,483,000.00) from the general fund to the state auditor for purposes of payment of the increase in employer contribution rates required by W.S. 9-3-413, as amended by section 1 of this act. Subject to the provisions of this section and from this appropriation, the state auditor shall distribute this appropriation as follows:

(i) Thirty-three thousand dollars (\$33,000.00) for legislative branch employer contributions;

(ii) One hundred thirty thousand dollars (\$130,000.00) for judicial branch employer contributions;

(iii) One million nine hundred fifty thousand dollars (\$1,950,000.00) for state executive branch employer contributions;

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(iv) Five hundred thousand dollars (\$500,000.00) for community college employer contributions;

(v) Eight hundred seventy thousand dollars (\$870,000.00) for University of Wyoming employer contributions.

(c) There is appropriated to the state auditor six million eight hundred twenty-five thousand dollars (\$6,825,000.00) from the public school foundation program account for employer contributions for school districts.

(d) For state agency employers whose retirement contributions are made from non-general fund sources, there is appropriated from those accounts and funds amounts necessary to provide payment of the increase in employer contribution rates required by W.S. 9-3-413, as amended by section 1 of this act.

(e) The appropriations under paragraphs (b)(i) through (iii) and subsection (d) of this section shall only be expended to provide payment of the increase in each state agency's employer contribution rates required by W.S. 9-3-413, as amended by section 1 of this act, for the 2025-2026 fiscal biennium. The appropriation under paragraphs (b)(iv) and (v) of this section shall only be expended for the purpose of providing payment of the increase in the University of Wyoming and community college employer contribution rates required by W.S. 9-3-413, as amended by section 1 of this act, and to provide like contributions under W.S. 21-19-101 through 21-19-106 corresponding to the increased employer contributions under this act for the 2025-2026 fiscal biennium.

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(f) The appropriation under subsection (c) of this section shall only be expended for the purpose of providing each school district's increased employer contribution required by W.S. 9-3-413, as amended by section 1 of this act, for the 2025-2026 fiscal biennium. The state auditor shall transfer the funds to the state retirement system or to the department of education for distribution to individual school districts as determined by the department of education to be necessary to meet the provisions of this act. Any unexpended public school foundation program account funds appropriated under subsection (c) of this section on June 30, 2026 shall revert to the public school foundation program account.

(g) No amount of the appropriations made in this section shall be used to provide the increased employee contribution required by this act.

(h) Notwithstanding any other provision of law, the appropriations under this section shall not be transferred or expended for any purpose other than as specified in this section. Any unexpended, unobligated funds remaining from the appropriations made in this section shall revert as provided by law on June 30, 2026.

(j) Except as otherwise provided in this section, the state auditor shall transfer the funds to the state retirement system or to individual state agencies as determined by the department of administration and information to be necessary to meet the provisions of this act.

(k) It is the intent of the legislature that the appropriations made in this section be included in each

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state agency's standard budget request for the immediately succeeding fiscal biennium.

Section 3. This act is effective July 1, 2024.

(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