

SENATE FILE NO. SF0110

School finance-cash reserves.

Sponsored by: Senator(s) Dockstader and Dockstader and
Representative(s) Allred, Brown and Northrup

A BILL

for

1 AN ACT relating to school finance; eliminating the sunset
2 date for an increase in school district operating balances
3 and cash reserves; and providing for an effective date.

4

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

6

7 **Section 1.** W.S. 21-13-313(e) is amended to read:

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9 **21-13-313. Distribution of funds from foundation**
10 **account; property tax and cash reserve adjustment;**
11 **regulations.**

12

13 (e) Not later than January 31 of each fiscal year,
14 and except where a different percentage is otherwise
15 specified in this subsection, the department shall compute

1 the amount by which each district's operating balance and
2 cash reserves at the end of the preceding fiscal year
3 exceed fifteen percent (15%) of the total foundation
4 program amount computed under W.S. 21-13-309 for the
5 preceding fiscal year. In making this calculation, the
6 entire operating balance and cash reserves for each
7 district for the fiscal year ending June 30, 1997, as
8 computed by the department, shall be separately accounted
9 for and excluded, until it has been completely expended by
10 the district. Revenues from settlements of protested
11 amounts attributable to levies assessed under W.S.
12 21-13-102(a)(i)(A) and (ii)(A) and 21-13-201, regardless of
13 the assessment year, shall be accounted for and excluded
14 from the calculation under this subsection for a period of
15 not more than one (1) year following that fiscal year in
16 which the revenue was received by a district, as verified
17 in writing by the district and certified by the county
18 treasurer. Except as otherwise provided in 1997 Special
19 Session Laws, chapter 3, section 306(e), as amended, and
20 except as excluded under this subsection, that excess shall
21 be deemed to be a state revenue under W.S. 21-13-310(a) for
22 the purpose of determining distributions under W.S.
23 21-13-311 and amounts to be rebated under W.S. 21-13-102.

1 The department shall promulgate rules, including reporting
2 requirements and procedures for districts, to implement
3 this subsection. As used in this section, "operating
4 balance and cash reserves" means those financial resources
5 of the district which are not encumbered by the district
6 board of trustees for expenditure to meet an existing legal
7 obligation or otherwise restricted by law or regulation for
8 expenditure on specific educational programs. For purposes
9 of this subsection, any balance within a district's
10 separate account established under W.S. 21-15-109(e) for
11 major building and facility repair and replacement shall be
12 deemed restricted by law for expenditure as provided by
13 W.S. 21-15-109(e) and shall not be considered an operating
14 balance and cash reserve under this section. For the fiscal
15 year ending June 30, 2022 ~~through the~~ and each fiscal year
16 ~~ending June 30, 2026~~ thereafter, the department shall
17 compute the amount by which each district's operating
18 balance and cash reserves at the end of the preceding
19 fiscal year exceed thirty percent (30%) of the total
20 foundation program amount computed under W.S. 21-13-309 for
21 the preceding fiscal year. ~~During this period~~ For the
22 fiscal year ending June 30, 2022 and each fiscal year
23 thereafter, the amount of a district's operating balance

1 and cash reserves that may be increased from fifteen
2 percent (15%) to thirty percent (30%) of the total
3 foundation program amount computed under W.S. 21-13-309 for
4 the preceding fiscal year shall be accounted for and
5 reported separately and shall not be transferred or
6 expended for purposes of capital construction. For purposes
7 of this subsection, "capital construction" does not include
8 major building and facility repair and replacement as
9 defined under W.S. 21-15-109(a)(iii).

10

11 **Section 2.** This act is effective July 1, 2024.

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(END)