

SENATE FILE NO. SF0158

Public employee retirement plan-contributions.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to public employees; increasing employee
2 and employer contributions in the public employee
3 retirement plan; requiring the increased employee
4 contributions to be paid through a reduction in cash salary
5 of the employee as specified; removing archaic language;
6 providing appropriations; and providing for an effective
7 date.

8

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

10

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

13

14 **9-3-412. Members' contributions; payroll deductions;**
15 **employer authorized to pay employee's share.**

16

1 (a) Except as otherwise provided in this section and
2 W.S. 9-3-431 and 9-3-432, every member covered under this
3 article, shall pay into the account ~~eight and one-half~~
4 ~~percent (8.5%) of his salary for the period from September~~
5 ~~1, 2018 through June 30, 2019, eight and three-quarters~~
6 ~~percent (8.75%) of his salary for the period from July 1,~~
7 ~~2019 through June 30, 2020, nine percent (9%) of his salary~~
8 ~~for the period from July 1, 2020 through June 30, 2021 and~~
9 ~~thereafter~~ nine and one-quarter percent (9.25%) of his
10 salary for the period from July 1, 2021 through June 30,
11 2023 and thereafter nine and three-quarters percent (9.75%)
12 of his salary. Every firefighter member covered under this
13 article shall pay into the account seven percent (7%) of
14 his salary. Payments shall be deducted each pay period
15 from each member's salary by the chief fiscal officer of
16 each participating employer. Employee contributions shall
17 be transferred to the account in accordance with subsection
18 (c) of this section.

19

20 **9-3-413. Employer's contributions; payable monthly;**
21 **transfer to account; interest imposed upon delinquent**
22 **contributions; recovery.**

23

1 Except as provided by W.S. 9-2-3207(a)(xi)(F)(III) or (IV),
2 9-3-431 and 9-3-432, each employer excluding employers of
3 firefighter members, shall on a monthly basis, pay into the
4 account a contribution equal to ~~eight and sixty two~~
5 ~~hundredths percent (8.62%) of the salary paid to each of~~
6 ~~its members covered under this article for the period from~~
7 ~~September 1, 2018 through June 30, 2019, eight and~~
8 ~~eighty seven hundredths percent (8.87%) of the salary paid~~
9 ~~for the period from July 1, 2019 through June 30, 2020,~~
10 ~~nine and twelve hundredths percent (9.12%) of the salary~~
11 ~~paid for the period from July 1, 2020 through June 30, 2021~~
12 ~~and thereafter~~ nine and thirty-seven hundredths percent
13 (9.37%) of the salary paid for the period from July 1, 2021
14 through June 30, 2023 and thereafter nine and eighty-seven
15 hundredths percent (9.87%) of the salary paid. Employers
16 of firefighter members shall pay into the account a
17 contribution equal to seven and twelve hundredths percent
18 (7.12%) of the salary paid. Employer contributions for any
19 month, together with the members' contributions for that
20 month, if any, shall be transferred to the board not later
21 than the twelfth day of the following month. These
22 contributions shall be credited to the account in a manner
23 as directed by the board. Any employer failing to transfer

1 contributions under this section in sufficient time for the
2 board to receive the contributions by the twenty-fifth day
3 of the month due shall be assessed interest at the assumed
4 rate of return as determined by the board, compounded
5 annually. Interest imposed under this section shall be
6 payable not later than the twelfth day of the next
7 succeeding month. If the contributions and any interest
8 imposed under this section are not transferred to the board
9 when due, they may be recovered, together with court costs,
10 in an action brought for that purpose in the first judicial
11 district court in Laramie County, Wyoming.

12

13 **Section 2.**

14

15 (a) There is appropriated to the state auditor from
16 the general fund the following amounts:

17

18 (i) Twenty-five thousand dollars (\$25,000.00)
19 for legislative branch employer contributions;

20

21 (ii) Seventy-five thousand dollars (\$75,000.00)
22 for judicial branch employer contributions;

23

1 (iii) One million two hundred thousand dollars
2 (\$1,200,000.00) for state executive branch employer
3 contributions;

4
5 (iv) Three hundred twenty-five thousand dollars
6 (\$325,000.00) for community college employer contributions;

7
8 (v) Five hundred fifty thousand dollars
9 (\$550,000.00) for University of Wyoming employer
10 contributions.

11
12 (b) There is appropriated to the state auditor three
13 million nine hundred thousand dollars (\$3,900,000.00) from
14 the school foundation program account for school districts
15 employer contributions.

16
17 (c) For state agency employers whose retirement
18 contributions are made from non-general fund sources, there
19 is appropriated from those accounts and funds amounts
20 necessary to provide payment of the increase in employer
21 contribution rates required by W.S. 9-3-413, as amended by
22 section 1 of this act.

23

1 (d) The appropriations under paragraphs (a)(i)
2 through (iii) and subsection (c) of this section shall only
3 be expended to provide payment of the increase in each
4 state agency's employer contribution rates required by W.S.
5 9-3-413, as amended by section 1 of this act, for fiscal
6 year 2024. The appropriation under paragraphs (a)(iv) and
7 (v) of this section shall only be expended for the purpose
8 of providing payment of the increase in the University of
9 Wyoming and community college employer contribution rates
10 required by W.S. 9-3-413, as amended by section 1 of this
11 act, and to provide like contributions under W.S. 21-19-101
12 through 21-19-106 corresponding to the increased employer
13 contributions under this act for fiscal year 2024.

14

15 (e) The appropriation under subsection (b) of this
16 section shall only be expended for the purpose of providing
17 each school district's increased employer contribution
18 required by W.S. 9-3-413, as amended by section 1 of this
19 act, for fiscal year 2024. The state auditor shall transfer
20 the funds to the state retirement system or to the
21 department of education for distribution to individual
22 school districts as determined by the department of
23 education to be necessary to meet the provisions of this

1 act. Any unexpended school foundation program account funds
2 appropriated under subsection (b) of this section on June
3 30, 2024 shall revert to the school foundation program
4 account.

5

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

9

10 (g) Notwithstanding any other provision of law, the
11 appropriations under this section shall not be transferred
12 or expended for any purpose other than as specified in this
13 section. Any unexpended, unobligated funds remaining from
14 the appropriations made in this section shall revert as
15 provided by law on June 30, 2024.

16

17 (h) The state auditor shall transfer the funds to the
18 state retirement system or to individual state agencies as
19 determined by the department of administration and
20 information to be necessary to meet the provisions of this
21 act.

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1 (j) As used in this section, "state agency" includes
2 each state executive, legislative or judicial department,
3 board, commission or other agency or instrumentality of the
4 state and, for purposes of subsections (c) and (k) of this
5 section, includes the University of Wyoming and each
6 community college.

7

8 (k) It is the intent of the legislature that the
9 appropriations made in this section be included in each
10 state agency's standard budget request for the immediately
11 succeeding fiscal biennium.

12

13 **Section 3.** This act is effective July 1, 2023.

14

15

(END)