

ENROLLED ACT NO. 48, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

AN ACT relating to the Wyoming children's trust fund; amending the trust fund; creating the Wyoming children's income account; authorizing expenditure of the income account as specified; providing for distribution of fees; providing for the transfer of funds; specifying the fund source for current appropriations; making conforming amendments; and providing for an effective date.

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

Section 1. W.S. 14-8-103(a)(iv), (v) and by creating a new paragraph (vi), 14-8-105(a)(v) and (vi), 14-8-106, 14-8-107(a) and 35-1-428(b) are amended to read:

14-8-103. Definitions.

(a) As used in this article:

(iv) "Recipient" means and is limited to a nonprofit or public organization which receives a grant from the ~~trust fund~~ income account created in W.S. ~~14-8-106~~ 14-8-106(b);

(v) "Trust fund" means the Wyoming children's trust fund created in W.S. ~~14-8-106.~~ 14-8-106(a);

(vi) "Income account" means the Wyoming children's income account created by W.S. 14-8-106(b).

14-8-105. Powers and duties of the board.

(a) The board shall:

(v) Accept grants from the federal government as well as solicit and accept contributions, grants, gifts,

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bequests and donations from individuals, private organizations and foundations for credit to the trust fund or the income account as directed by the terms of the contribution, grant, gift, bequest or donation;

(vi) Expend monies of the ~~trust fund income~~ account for the establishment, promotion and maintenance of prevention programs, ~~and~~ and to increase the balance of the trust fund corpus;

14-8-106. Wyoming children's trust fund and income account; creation; source of funds.

(a) There is created the Wyoming children's trust fund. The fund shall be administered by the board and shall consist of monies appropriated or designated to the fund by law and all monies collected by the board from federal grants and other contributions, grants, gifts, bequests and donations. The monies shall be transmitted to the state treasurer for credit to the trust fund and shall be invested by pursuant to W.S. 14-8-105(a)(v) for credit to the trust fund. Funds deposited within the trust fund are intended to be inviolate and constitute a perpetual trust account. The state treasurer shall invest the account as authorized under W.S. 9-4-715(a), (d) and (e) in a manner to obtain the highest return possible consistent with the preservation of the trust fund corpus. Any interest earned on the investment or deposit of monies in the fund shall also remain in the fund and shall not be credited to the general fund.

(b) There is created the Wyoming children's income account. The account shall be administered by the board and shall consist of monies appropriated or designated to the account by law and all monies collected by the board pursuant to W.S. 14-8-105(a)(v) for credit to the income account. The

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state treasurer shall credit annually to the income account the income earned from investment of the trust fund corpus. All funds in the income account at the end of a biennium shall remain in the account for expenditure as authorized in this article.

14-8-107. Disbursement of grants from the income account.

(a) Grants may be awarded from the income account to provide monies for the start-up, continuance or expansion of prevention programs, to provide educational and public informational seminar and to study and evaluate prevention programs.

35-1-428. Fees for copies and searches; surcharge.

(b) In addition to fees imposed by department rule and regulation under subsection (a) of this section, the department shall collect a surcharge of five dollars (\$5.00) for each copy of a certificate or record issued pursuant to this article and five dollars (\$5.00) for each five (5) year period or portion thereof that a search of files or records is undertaken pursuant to this article. Revenues collected from the surcharge imposed under this subsection shall be deposited by the state treasurer in accordance with the following:

(i) For the period from July 1, 2019 through June 30, 2024, seventy-five percent (75%) into the Wyoming children's trust fund established under W.S. 14-8-106(a) and twenty-five percent (25%) into the Wyoming children's income account established under W.S. 14-8-106(b);

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(ii) Beginning July 1, 2024, one hundred percent (100%) into the Wyoming children's trust fund established under W.S. ~~14-8-106~~ 14-8-106(a).

Section 2. W.S. 14-8-107(b) and (c) is repealed.

Section 3.

(a) On July 1, 2019, the state auditor shall transfer funds from the Wyoming children's trust fund created in W.S. 14-8-106(a) to the Wyoming children's income account created in W.S. 14-8-106(b) as follows:

(i) Any unexpended income earned from investment of the Wyoming children's trust fund attributable to the fiscal year 2019, as calculated by the state treasurer;

(ii) Any monies received from the federal government and any contributions, grants, gifts, bequests and donations from individuals, private organizations and foundations collected by the Wyoming children's trust fund board on or before June 30, 2019.

Section 4. Subject to available funding, all unexpended funds appropriated on or before July 1, 2019 for the Wyoming Children's Trust Fund Act for fiscal years 2019 and 2020 shall be paid from the Wyoming children's income account created in W.S. 14-8-106(b).

ORIGINAL HOUSE
BILL NO. HB0216

ENGROSSED

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Section 5. This act is effective July 1, 2019.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk