

SENATE FILE NO. SF0123

School district compliance-public records and meetings.

Sponsored by: Senator(s) Scott and Representative(s) Lindholm

A BILL

for

1 AN ACT relating to school districts and public records and
2 meetings; requiring specified entities controlled by school
3 districts to comply with public records and public meeting
4 laws; prohibiting school districts from expending funds to
5 specified entities failing to comply with public records and
6 public meeting laws; specifying applicability; and providing
7 for an effective date.

8

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

10

11 **Section 1.** W.S. 21-3-134 is created to read:

12

13 **21-3-134. School district compliance with public**
14 **records and meeting laws.**

15

1 (a) W.S. 16-4-201 through 16-4-205 and 16-4-401 through
2 16-4-408 shall apply to an entity agreeing to compliance in
3 a contract or other agreement entered into with a school
4 district pursuant to this section.

5

6 (b) A school district shall not expend any state funds
7 to an entity unless:

8

9 (i) The entity agrees by contract or other form of
10 agreement to comply with the provisions of W.S. 16-4-201
11 through 16-4-205 and 16-4-401 through 16-4-408 in the same
12 manner and to the same extent as a political subdivision;

13

14 (ii) The agreement between the school district and
15 the entity is approved as to form and content by the Wyoming
16 attorney general.

17

18 (c) If an entity fails to comply with an agreement
19 entered into pursuant to this section, a school district may
20 only expend funds to the entity as is necessary to achieve
21 compliance with the agreement.

22

1 (d) Noncompliance of W.S. 16-4-201 through 16-4-205,
2 16-4-401 through 16-4-408 or an agreement entered into
3 pursuant to this section shall be determined by a court of
4 competent jurisdiction or by the Wyoming attorney general
5 unless appealed to a court of competent jurisdiction. Nothing
6 in this subsection shall be construed as prohibiting or
7 limiting the remedies or penalties otherwise provided by law
8 for a violation of W.S. 16-4-201 through 16-4-205, 16-4-401
9 through 16-4-408 or an agreement entered into pursuant to
10 this section.

11

12 (e) As used in this section:

13

14 (i) "Entity" means any entity or association that
15 is controlled by one (1) or more school districts, school
16 district employees or school district board of trustees and
17 that receives, or reasonably expects to receive, more than
18 sixty percent (60%) of its funding, including dues or
19 reimbursements, from the state or any agency, institution or
20 political subdivision of the state. "Entity" shall not
21 include any:

22

1 (A) Labor union or other entity joined by
2 school district employees for the purpose of seeking better
3 wages, hours or working conditions, provided that the school
4 district does not directly pay or reimburse membership dues
5 of the employees;

6
7 (B) Professional organization whose
8 membership is restricted to persons licensed pursuant to
9 title 33 or certificated under W.S. 21-2-802, provided that
10 the organization is not directly or indirectly controlled by
11 a school district and does not lobby state agencies on matters
12 not related to licensure or certification;

13
14 (C) Private individual or business that is
15 not directly or indirectly controlled by a school district
16 when providing to a school district goods, supplies or
17 services, excluding lobbying or public relations services.

18
19 (ii) "Political subdivision" means as defined in
20 W.S. 16-4-201(a)(iv).

21

1 **Section 2.** This act is effective July 1, 2019.

2

3

(END)