

SENATE FILE NO. SF0014

Court security funding.

Sponsored by: Joint Appropriations Interim Committee

A BILL

For

1 AN ACT relating to court security; creating a court
 2 security assistance fund; specifying purposes of the fund;
 3 providing for grants for court security equipment and
 4 construction of facilities; providing guidelines and
 5 procedures for grants; authorizing rulemaking;
 6 appropriating funds to the court security assistance fund
 7 and authorizing expenditures from the fund; and providing
 8 for an effective date.

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

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12 **Section 1.** W.S. 5-11-102 through 5-11-104 are created
 13 to read:

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15 **5-11-102. Definitions.**

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1 (a) As used in this article, unless the context
2 requires otherwise:

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4 (i) "Commission" means the Wyoming court
5 security commission;

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7 (ii) "Fund" means the court security assistance
8 fund created in W.S. 5-11-103;

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10 (iii) "Local security team" means local court
11 security management committees established pursuant to
12 security standards adopted by the commission.

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14 **5-11-103. Court security assistance fund; creation;**
15 **grant procedures.**

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17 (a) There is created the court security assistance
18 fund. Interest accruing to the fund shall be retained in
19 the fund. No monies shall be expended from the fund except
20 upon legislative appropriation. Notwithstanding W.S.
21 9-2-1008, 9-2-1012(e) or 9-4-207, monies within the fund
22 shall not lapse or revert until directed by the
23 legislature.

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1 (b) The supreme court may expend only monies
2 legislatively appropriated from the fund specifically for
3 administrative costs of the commission incurred in the
4 implementation of this article in any biennial period. All
5 other monies appropriated from the fund shall be available
6 for grants to counties for the purposes specified in this
7 article.

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9 (c) Monies from the fund that are distributed to
10 counties pursuant to this article shall be used to
11 supplement existing county funding for purposes related to
12 security of facilities containing a state court and shall
13 not be used to supplant monies previously allocated by the
14 county for such purposes.

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16 (d) The commission shall adopt rules prescribing:

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18 (i) The procedures to be followed in making,
19 evaluating, prioritizing and recommending grant
20 applications;

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22 (ii) The criteria for evaluation, prioritization
23 and making recommendations; and

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1 (iii) Other guidelines necessary for carrying
2 out its duties under this article.

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4 **5-11-104. Grant applications; requirements;**
5 **prioritization; recommendation; prohibited uses.**

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7 (a) To be eligible for a grant from the fund, a board
8 of county commissioners for a county in which a state court
9 is located shall apply to the commission based upon
10 recommendations of a local security team in accordance with
11 the timelines and other procedures adopted by rule of the
12 commission. The grant application shall be signed by the
13 chairman of the county commission.

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15 (b) Grants shall be used to fund counties that meet
16 the criteria specified in subsection (e) of this section
17 for the purchase of security equipment within courthouses
18 or construction or modification of facilities containing a
19 state court.

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21 (c) No grant funds shall be used for acquisition of
22 land or for infrastructure not within the property
23 boundaries of the project.

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1 (d) Each grant shall require a matching amount from
2 the county from nonstate sources of at least fifty percent
3 (50%) of the proposed project costs.

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5 (e) Counties that meet at least two (2) of paragraphs
6 (i) through (vi) of this subsection shall be given highest
7 priority for grants pursuant to this article:

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9 (i) Counties in which:

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11 (A) The total population is below the state
12 median, as determined by the last federal census;

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14 (B) The per capita income is below the
15 state median, as determined by the most recent data
16 published by the division of economic analysis;

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18 (C) Property tax revenues are below the
19 state median, as determined by the most recent data
20 published by the department of revenue; or

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22 (D) The total county population living
23 below the federal poverty level is greater than the state
24 median, as determined by the last federal census.

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2 (ii) Counties in which there have occurred
3 recent and serious security breaches or issues which cannot
4 be adequately addressed by available county funds or
5 resources;

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7 (iii) Counties which impose all available mills
8 authorized by article 15, section 5 of the Wyoming
9 constitution;

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11 (iv) Counties in which the local security team
12 has adopted a complete operational plan for court security
13 in accordance with commission standards;

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15 (v) Counties which demonstrate a previous
16 financial commitment to court security initiatives;

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18 (vi) Counties which have a need for facilities
19 for additional judicial resources as determined by the
20 supreme court's weighted caseload studies.

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22 (f) The commission shall prioritize proposed grants
23 it recommends for funding in accordance with this section
24 and commission rules. The commission shall forward all

1 applications received and submit the prioritized list to
2 the state loan and investment board for final approval or
3 disapproval in accordance with rules of the board.

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5 (g) The state loan and investment board shall consider
6 all grants recommended by the commission and, applying its
7 own discretion and its own criteria developed pursuant to
8 this article and the priorities specified in this article,
9 approve, modify or disapprove entirely the grant. Approved
10 grant funds shall be distributed from the court security
11 assistance fund.

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13 (h) The state loan and investment board shall adopt
14 rules as necessary or convenient to implement its duties
15 under this article.

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17 **Section 2.** W.S. 5-11-101(e)(iii) and by creating a
18 new paragraph (vi) is amended to read:

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20 **5-11-101. Wyoming court security commission created;**
21 **membership; powers and duties; compensation; report**
22 **required.**

23

24 (e) The commission shall:

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(iii) Recommend to the :

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(A) Legislature the distribution of funds to counties as may from time to time be appropriated by the legislature to the commission for the provision of court security;

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(B) State loan and investment board grants from the court security assistance fund.

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(vi) Adopt rules necessary or convenient to fulfill its duties in administering the court security grant program.

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Section 3. There is appropriated ten million dollars (\$10,000,000.00) from the general fund to the court security assistance fund. There is appropriated from the fund to the supreme court up to twenty-five thousand dollars (\$25,000.00) for administrative expenses of the court security commission in implementing this act. The state loan and investment board may expend the balance of this appropriation for grants authorized by this act. Notwithstanding any other provision of law, this

1 appropriation shall not be transferred or expended for any
2 other purpose. This appropriation shall not be included in
3 the supreme court's 2017-2018 standard biennial budget
4 request.

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6 **Section 4.** This act effective July 1, 2014.

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(END)