

HOUSE BILL NO. HB0042

Local government distributions.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to local government funding; providing
2 funding to cities and towns; providing funding to counties;
3 providing local government funding formulas and
4 distributions; providing legislative intent; providing an
5 appropriation; and providing for an effective date.

6

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

8

9 **Section 1.**

10

11 (a) From the general fund there is appropriated one
12 hundred five million dollars (\$105,000,000.00) to the
13 office of state lands and investments to be allocated
14 pursuant to the following and as further provided in this
15 section:

16

1 (i) Two-thirds (2/3) of eighty-nine percent
2 (89%) of the total amount appropriated, for direct
3 distribution to cities and towns provided that five percent
4 (5%) of the amount available under this paragraph shall
5 only be distributed for direct distributions to cities and
6 towns using the revenue challenged formula as provided in
7 paragraph (b)(ii) of this section;

8
9 (ii) One-third (1/3) of eighty-nine percent
10 (89%) of the total amount appropriated, for direct
11 distribution to counties;

12
13 (iii) Five and one-half percent (5.5%) of the
14 total amount appropriated, for direct distribution to
15 cities and towns provided that five percent (5%) of the
16 amount available under this paragraph shall only be
17 distributed for direct distributions to cities and towns
18 using the revenue challenged formula as provided in
19 paragraph (b)(ii) of this section;

20
21 (iv) Five and one-half percent (5.5%) of the
22 total amount appropriated, for direct distribution to
23 counties.

1

2 [CITY AND TOWN DIRECT DISTRIBUTION ALLOCATIONS]

3

4 (b) Funds appropriated in paragraphs (a)(i) and (iii)
5 of this section shall be distributed to cities and towns
6 with one-half (1/2) of the amount available distributed in
7 the first fiscal year of the biennium and one-half (1/2) of
8 the amount available distributed in the second fiscal year
9 of the biennium. Distributions in each fiscal year shall be
10 made in equal amounts on August 15 and January 15 of each
11 fiscal year as calculated prior to the August 15
12 distribution, subject to the following:

13

14 (i) Except as provided in paragraph (ii) of this
15 subsection, from these distributions each municipality with
16 a population of thirty-five (35) or less shall first
17 receive fifteen thousand dollars (\$15,000.00) and each
18 municipality with a population over thirty-five (35) shall
19 first receive thirty-five thousand dollars (\$35,000.00).
20 From the remainder, each municipality shall receive amounts
21 in accordance with a municipal supplemental funding formula
22 as provided in this paragraph. The municipal supplemental

1 funding formula shall be calculated by the office of state
2 lands and investments as follows:

3

4 (A) For each fiscal year calculate the per
5 capita sales and use tax revenues available to each
6 municipality using the sales and use tax distributions to
7 each county attributable to fiscal year 2021 for
8 distributions under this paragraph during fiscal year 2023
9 and the sales and use tax distributions to each county
10 attributable to fiscal year 2022 for distributions under
11 this paragraph during fiscal year 2024, including
12 distributions to each municipality within that county,
13 under W.S. 39-15-111 and 39-16-111, but excluding the
14 distribution exclusively to counties under W.S.
15 39-15-111(b)(iii) made from an amount equivalent to one
16 percent (1%) of the tax collected under W.S. 39-15-104, and
17 excluding the distribution exclusively to counties under
18 W.S. 39-16-111(b)(iii) made from an amount equivalent to
19 one percent (1%) of the tax collected under W.S. 39-16-104;

20

21 (B) Calculate the inverse by dividing one
22 (1) by the per capita sales and use tax determined under
23 subparagraph (A) of this paragraph for each municipality;

1

2 (C) Calculate the normalized per capita
3 sales and use tax number for each municipality by dividing
4 the number determined under subparagraph (B) of this
5 paragraph for the municipality by the total of all inverse
6 per capita sales and use tax numbers calculated under
7 subparagraph (B) of this paragraph;

8

9 (D) Multiply the normalized per capita
10 sales and use tax number for each municipality by seventy-
11 five percent (75%);

12

13 (E) For each fiscal year calculate the per
14 capita assessed value for the prior tax year corresponding
15 to the most recently completed calendar year for each
16 municipality by dividing the total assessed valuation
17 within the municipality by the population of the
18 municipality;

19

20 (F) Calculate the inverse by dividing one
21 (1) by the per capita assessed value determined under
22 subparagraph (E) of this paragraph for each municipality;

23

1 (G) Calculate the normalized per capita
2 assessed value number for each municipality by dividing the
3 number determined under subparagraph (F) of this paragraph
4 for the municipality by the total of all inverse per capita
5 assessed value numbers calculated under subparagraph (F) of
6 this paragraph;

7

8 (H) Multiply the normalized per capita
9 assessed value number for each municipality by twenty-five
10 percent (25%);

11

12 (J) Multiply the sum of subparagraphs (D)
13 and (H) of this paragraph by the population of the
14 municipality;

15

16 (K) Calculate the normalized index for each
17 municipality by dividing the number determined under
18 subparagraph (J) of this paragraph for the municipality by
19 the sum of all numbers calculated under subparagraph (J) of
20 this paragraph;

21

22 (M) Determine the amount to distribute to
23 each municipality by multiplying the normalized index

1 number determined under subparagraph (K) of this paragraph
2 by the amount remaining available for distribution under
3 this paragraph.

4

5 (ii) From the amounts specified in paragraphs
6 (a)(i) and (iii) of this section, each city or town shall
7 receive amounts in accordance with a city and town revenue
8 challenged formula as provided in this paragraph. The
9 revenue challenged formula shall be calculated by the
10 office of state lands and investments as follows:

11

12 (A) For each fiscal year, calculate the
13 lowest quartile amount received by cities and towns on a
14 per capita basis using amounts received under this section
15 plus amounts distributed to each city and town using the
16 sales and use tax distributions to each county attributable
17 to fiscal year 2021 for distributions under this paragraph
18 during fiscal year 2023 and the sales and use tax
19 distributions to each county attributable to fiscal year
20 2022 for distributions under this paragraph during fiscal
21 year 2024, including distributions to each municipality
22 within that county, under W.S. 39-15-111 and 39-16-111, but
23 excluding the distribution exclusively to counties under

1 W.S. 39-15-111(b)(iii) made from an amount equivalent to
2 one percent (1%) of the tax collected under W.S. 39-15-104
3 and excluding the distribution exclusively to counties
4 under W.S. 39-16-111(b)(iii) made from an amount equivalent
5 to one percent (1%) of the tax collected under W.S.
6 39-16-104;

7

8 (B) Determine each city or town that
9 received a per capita amount that is less than the lowest
10 quartile amount determined under subparagraph (A) of this
11 paragraph;

12

13 (C) For each city or town that received a
14 per capita amount that is less than the lowest quartile
15 amount as provided in subparagraph (B) of this paragraph,
16 determine the amount that would be necessary to increase
17 the per capita amount distributed to that city or town to
18 the lowest quartile amount determined under subparagraph
19 (A) of this paragraph;

20

21 (D) Determine the amount to distribute to
22 each city or town that received an amount that is less than
23 the lowest quartile amount determined under subparagraph

1 (A) of this paragraph by distributing the amount available
2 under this paragraph on a pro rata basis, up to the lowest
3 quartile amount, based on the amounts determined under
4 subparagraph (C) of this paragraph.

5

6 [COUNTY DIRECT DISTRIBUTION ALLOCATIONS]

7

8 (c) Funds appropriated in paragraphs (a)(ii) and (iv)
9 of this section are to be distributed to counties with one-
10 half (1/2) of the amount available distributed in the first
11 fiscal year of the biennium and one-half (1/2) of the
12 amount available distributed in the second fiscal year of
13 the biennium. Distributions in each fiscal year shall be
14 made in equal amounts on August 15 and January 15 of each
15 fiscal year as calculated prior to the August 15
16 distribution. From these distributions each county shall
17 receive the following:

18

19 (i) From these distributions each county with an
20 assessed value for the prior tax year corresponding to the
21 most recently completed calendar year of less than three
22 hundred thousand dollars (\$300,000.00) per mill shall first
23 receive an amount equal to three (3) times the difference

1 between three hundred thousand dollars (\$300,000.00) and
2 the actual value of one (1) mill within the county. From
3 the remainder, each county shall receive amounts in
4 accordance with a county supplemental funding formula as
5 provided in this paragraph. The county supplemental funding
6 formula shall be calculated by the office of state lands
7 and investments as follows:

8
9 (A) For each fiscal year calculate the per
10 capita sales and use tax revenues available to each county
11 using the sales and use tax distributions to each county
12 attributable to fiscal year 2021 for distributions under
13 this subsection during fiscal year 2023 and the sales and
14 use tax distributions to each county attributable to fiscal
15 year 2022 for distributions under this subsection during
16 fiscal year 2024, excluding distributions to each
17 municipality within that county, under W.S. 39-15-111 and
18 39-16-111;

19
20 (B) Calculate the inverse by dividing one
21 (1) by the per capita sales and use tax determined under
22 subparagraph (A) of this paragraph for each county;

23

1 (C) Calculate the normalized per capita
2 sales and use tax number for each county by dividing the
3 number determined under subparagraph (B) of this paragraph
4 for the county by the total of all inverse per capita sales
5 and use tax numbers calculated under subparagraph (B) of
6 this paragraph;

7
8 (D) Multiply the normalized per capita
9 sales and use tax number determined under subparagraph (C)
10 of this paragraph for each county by twenty-four percent
11 (24%);

12
13 (E) For each fiscal year calculate the per
14 capita assessed value for each county by dividing the total
15 assessed valuation within the county for the prior tax year
16 corresponding to the most recently completed calendar year
17 by the population of the county;

18
19 (F) Calculate the inverse by dividing one
20 (1) by the per capita assessed value determined under
21 subparagraph (E) of this paragraph for each county;

22

1 (G) Calculate the normalized per capita
2 assessed value number for each county by dividing the
3 number determined under subparagraph (F) of this paragraph
4 for the county by the total of all inverse per capita
5 assessed value numbers calculated under subparagraph (F) of
6 this paragraph;

7
8 (H) Multiply the normalized per capita
9 assessed value number determined under subparagraph (G) of
10 this paragraph for each county by seventy-six percent
11 (76%);

12
13 (J) Calculate a cost of government index
14 for each county, which shall be determined by multiplying
15 six hundred twenty-eight (628) by the population of the
16 county and then adding nine million nine hundred thousand
17 (9,900,000) to the result;

18
19 (K) Calculate the normalized cost of
20 government index number for each county by dividing the
21 number determined under subparagraph (J) of this paragraph
22 for the county by the total of all cost of government index

1 numbers calculated under subparagraph (J) of this
2 paragraph;

3

4 (M) Multiply the sum of subparagraphs (D)
5 and (H) of this paragraph by the normalized cost of
6 government index number determined in subparagraph (K) of
7 this paragraph for each county;

8

9 (N) Calculate the normalized index for each
10 county by dividing the number determined under subparagraph
11 (M) of this paragraph for the county by the total of all
12 numbers calculated under subparagraph (M) of this
13 paragraph;

14

15 (O) Determine the amount to distribute to
16 each county by multiplying the normalized index number
17 determined under subparagraph (N) of this paragraph by the
18 amount remaining available for distribution under this
19 paragraph.

20

21 (d) For purposes of this section, population is to be
22 determined by resort to the 2020 decennial federal census

1 as reported by the economic analysis division within the
2 department of administration and information.

3

4 (e) It is the intent of the legislature that the
5 funds distributed under this section shall not be used for
6 salary adjustments, additional personnel or increased
7 personnel benefits.

8

9 **Section 2.** This act is effective July 1, 2022.

10

11

(END)