

ORIGINAL SENATE
FILE NO. SF0074

ENROLLED ACT NO. 31, SENATE

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2024 BUDGET SESSION

AN ACT relating to special districts; providing a process by which special districts required to dissolve for audit report noncompliance may reinstate the special district or cease the dissolution; specifying requirements for reinstatement; making conforming amendments; and providing for an effective date.

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

Section 1. W.S. 22-29-103(b) and 22-29-401(b) and by creating a new subsection (c) are amended to read:

22-29-103. Applicability to special districts; general provisions.

(b) This act specifies requirements pertaining to elections and changes in the organization of the districts listed in subsection (a) of this section where the principal act is silent or unclear. Except as provided by W.S. 22-29-401(b) and (c), the specific provisions of a principal act are effective and controlling to the extent they conflict with this act.

22-29-401. Dissolution procedure.

(b) Subject to subsection (c) of this section, dissolution of a district shall be initiated by resolution of the board of county commissioners if the director of the department of audit has notified the board of county commissioners of the district's failure to comply with the reporting requirements of W.S. 9-1-507, and the district has failed to comply with W.S. 9-1-507(a)(vii) by December 30 of that same calendar year. The board of county commissioners shall declare the board of directors vacant under W.S. 22-29-201, and shall fill the board by

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appointment under W.S. 22-29-202 for the purpose of dissolving the district.

(c) A board of county commissioners may, by resolution, reinstate a district or cease dissolution procedures required under subsection (b) of this section in accordance with the following:

(i) The district shall become compliant with the requirements of W.S. 9-1-507 by not later than April 1 of the year following the calendar year in which the district fails to comply with the annual reporting requirement under W.S. 9-1-507;

(ii) Before a district is reinstated or before dissolution procedures are ceased under this subsection, the district shall provide a corrective action plan to the board of county commissioners, which shall approve the plan submitted by the district before proceeding under this subsection;

(iii) No reinstatement of a district or cessation of dissolution procedures shall occur unless the department of audit certifies to the board of county commissioners in writing that the district has become compliant with the reporting requirements of W.S. 9-1-507;

(iv) A district reinstated under this subsection shall be deemed to have never been dissolved;

(v) The board of county commissioners may:

(A) Allow the district to proceed with the board of directors appointed under subsection (b) of this section; or

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(B) Upon reinstatement, declare the board of directors vacant under W.S. 22-29-201. Upon a declaration of vacancy under this subparagraph, the board of county commissioners shall fill the board by appointment under W.S. 22-29-202.

Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk