

## HOUSE BILL NO. HB0292

Budget reserves-recommended appropriation amount.

Sponsored by: Representative(s) Bear, Heiner and Smith, S  
and Senator(s) Hicks, Laursen, D and  
Steinmetz

A BILL

for

1 AN ACT relating to the administration of the government;  
2 amending the required recommendation amount of estimated  
3 general fund receipts to be appropriated as specified;  
4 making conforming amendments; and providing for an  
5 effective date.

6

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

8

9 **Section 1.** W.S. 9-2-1012(e) and 9-2-1013(d)(ii) are  
10 amended to read:

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12 **9-2-1012. Duties of the department; transmittal of**  
13 **standard budget and manual; return of completed exception**  
14 **and expanded budgets; submission to governor; disposition**  
15 **of excess general fund appropriations; submission of**

1 selected budget information to joint appropriations  
2 committee.

3

4 (e) In preparing the overall state budget for  
5 distribution to the legislature, including any  
6 supplemental, budget shortfall or other emergency changes  
7 to the budget, the governor shall recommend to the  
8 legislature that not less than ~~five percent (5%)~~ ten  
9 percent (10%) of estimated general fund receipts for the  
10 next biennial budget period shall be appropriated from the  
11 general fund to the budget reserve account within the  
12 earmarked fund. This appropriation shall be in addition to  
13 any fund balance within the budget reserve account. At the  
14 end of each biennial budget period, general fund  
15 appropriations for the biennium in excess of expenditures  
16 including encumbrances during the biennium, as identified  
17 by the state auditor in accordance with the provisions of  
18 W.S. 9-2-1008 and 9-4-207, shall be transferred into the  
19 budget reserve account. All funds in the budget reserve  
20 account shall be invested by the state treasurer and  
21 earnings therefrom shall be credited into the general fund.  
22 Appropriations to the account shall not lapse at the end of

1 any fiscal period. Expenditures from the budget reserve  
2 account shall be by legislative appropriation only.

3

4 **9-2-1013. State budget; distribution of copies to**  
5 **legislators; copies and reports of authorizations;**  
6 **interfund loans.**

7

8 (d) In addition to the items contained in subsection  
9 (a) of this section and notwithstanding any other  
10 recommendations made by the governor, the state budget  
11 shall also include the governor's recommendations for  
12 appropriations for the ensuing two (2) years, or if a  
13 supplemental budget request, the remainder of the budget  
14 period, subject to the following:

15

16 (ii) The total recommended appropriations under  
17 this subsection for any two (2) fiscal year budget period  
18 shall not exceed the total estimated revenues for that two  
19 (2) year period. The total estimated revenues computed  
20 under this paragraph shall not include increases in  
21 existing revenue sources which would be available to the  
22 state only after enactment of legislation in addition to  
23 existing law, but shall include the unencumbered balances

1 in all other accounts in all other expendable funds subject  
2 to this section, and as further provided herein, as those  
3 funds are identified in accordance with standards  
4 promulgated by the governmental accounting standards board,  
5 but specifically excluding pension funds, nonexpendable  
6 trust funds, debt service funds and intragovernmental  
7 funds, that would be available for that budget period.  
8 Funds within the permanent Wyoming mineral trust fund  
9 reserve account created under W.S. 9-4-719(b), the common  
10 school permanent fund reserve account created under W.S.  
11 9-4-719(f), funds within the legislative stabilization  
12 reserve account in excess of the limitation under  
13 subparagraph (iii)(C) of this section, or funds within ~~five~~  
14 ~~percent (5%)~~ ten percent (10%) of estimated general fund  
15 receipts for the next biennium to be appropriated to the  
16 budget reserve account as required by W.S. 9-2-1012(e)  
17 shall not be included in total estimated revenues computed  
18 under this paragraph. Funds from a contingent  
19 appropriation shall not be included as an estimated source  
20 of revenue or funds available unless those funds previously  
21 had been authorized to be expended within the fiscal period  
22 covering the budget period of the recommendation;

23

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

5

6

(END)