

HOUSE BILL NO. HB0306

State employees-authorizing semimonthly pay periods.

Sponsored by: Representative(s) Singh

A BILL

for

1 AN ACT relating to the administration of the government;
2 authorizing state employees to choose whether to be paid
3 semimonthly as specified; making conforming amendments;
4 specifying duties of the state auditor; specifying
5 applicability; and providing for effective dates.

6

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

8

9 **Section 1.** W.S. 9-1-402(c), 9-3-101(d), 9-3-210(a)
10 and (b), 9-3-211(a), 9-3-413 and 9-3-413.1(b)(intro) are
11 amended to read:

12

13 **9-1-402. State auditor; duties generally.**

14

15 (c) The state auditor shall be the state payroll
16 officer, shall maintain the official payroll for all state

1 agencies, excluding the University of Wyoming, and shall
2 supervise the issuance of all payroll warrants. The state
3 auditor may enter into agreement with any state agency to
4 maintain the official payroll and supervise issuance of all
5 payroll warrants for the state agency. The state auditor
6 may establish the frequency in which state and employee
7 insurance remittances and contributions and retirement
8 contributions are made to account for the semimonthly pay
9 periods authorized in W.S. 9-3-101(d).

10
11 **9-3-101. Salaries; amount; date of payment.**

12
13 (d) Except for ~~employees paid hourly, or by hard copy~~
14 ~~payroll check, as determined by the state auditor's office,~~
15 ~~overtime and shift differential pay and~~ employees and
16 officers of the University of Wyoming, state employees and
17 officers on automatic payroll direct deposit shall be paid
18 on the last working day of the month or semimonthly for
19 wages earned during that month or during the immediately
20 preceding semimonthly pay period. Hourly pay shall be paid
21 to state employees on automatic payroll direct deposit on
22 the last working day of the month or semimonthly for wages
23 earned ~~from~~ during the ~~sixteenth day of the~~ immediately

1 preceding ~~month through the fifteenth day of the current~~
2 ~~month~~ monthly or semimonthly pay period. Overtime and shift
3 differential pay shall be paid to state employees on
4 automatic payroll direct deposit no later than the last
5 working day of the month or the payment date immediately
6 following the ~~month~~ semimonthly pay period in which
7 overtime and shift differential pay was earned. Employees
8 and officers paid by hard copy payroll check shall have
9 ~~their~~ each payroll check mailed and post marked not later
10 than the ~~last working day of the month~~ payment date
11 specified in this subsection. State employees may elect to
12 be paid semimonthly on the sixteenth day of each month, or
13 the working day immediately preceding the sixteenth day of
14 the month, and on the last working day of each month, by
15 providing notice to the state auditor in a form and manner
16 determined by the state auditor. The state auditor shall
17 promulgate rules to provide for state employees to elect to
18 be paid semimonthly. Rules promulgated under this
19 subsection shall include limitations on how and when state
20 employees may change from monthly pay to semimonthly pay or
21 semimonthly pay to monthly pay. The University of Wyoming
22 is exempt from this subsection.

23

1 9-3-210. Amount of state's contribution; estimates
2 submitted to state budget officer; specified employees
3 participation in federal program; participating employers
4 contributions.

5
6 (a) Except for voluntary participating employers,
7 volunteer firefighters, volunteer emergency medical
8 technicians and volunteer search and rescue persons under
9 W.S. 9-3-220, the state shall contribute monthly or
10 semimonthly, as determined by the state auditor under W.S.
11 9-1-402(c), the amount established and appropriated by the
12 legislature for each employee and official enrolled in the
13 plan in accordance with subsections (b) and (c) of this
14 section.

15
16 (b) Any state agency, department or institution,
17 including the University of Wyoming and the community
18 colleges in the state, shall pay monthly or semimonthly, as
19 determined by the state auditor under W.S. 9-1-402(c), to
20 the department the amount established and appropriated by
21 the legislature for each eligible employee or official
22 electing to become covered by any portion of the group
23 insurance plan as the contribution of the state to that

1 plan during the period the employee or official is enrolled
2 in the plan. Amounts appropriated by the legislature from
3 the general fund for University of Wyoming and community
4 college employer contributions under this section shall
5 include amounts necessary to fully fund the employer's
6 contribution for those eligible and enrolled employees
7 whose compensation is partially or fully funded from
8 nonfederal sources, but the University of Wyoming shall
9 exclude amounts necessary to fully fund the employer's
10 contribution for those eligible and enrolled employees
11 whose compensation is partially or fully funded from
12 contracts, grants and auxiliary services. If federal funds
13 are not available, the amounts necessary to fully fund the
14 employer's contribution for those eligible and enrolled
15 employees shall be included in the general fund
16 appropriation. If the monthly premium for coverage of the
17 employee or official is less than the amount established
18 and appropriated by the legislature, the balance may be
19 applied to the premium for coverage of dependents, or to
20 the premium for any optional group insurance coverage made
21 available by the department, if so elected.

22

1 9-3-211. Deductions from salaries of monthly or
2 semimonthly contributions by employees and officials;
3 establishment of procedure.

4
5 (a) The amount of monthly or semimonthly contribution
6 to be made by eligible employees and officials, excluding
7 volunteer firefighters, volunteer emergency medical
8 technicians and volunteer search and rescue persons under
9 W.S. 9-3-220, enrolled in the group insurance plan for
10 themselves and their dependents shall be deducted from the
11 monthly or semimonthly salaries of the employees and
12 officials by the various agencies or voluntary
13 participating employers and remitted to the department. The
14 procedure for deductions and remittances shall be
15 established by the department, in consultation with the
16 state auditor regarding the frequency for remittances
17 established under W.S. 9-1-402(c). If a flexible benefits
18 plan is chosen, the employees' and officials' contribution
19 shall be applied to the chosen benefits in an amount
20 determined by the employee or official.

21

1 9-3-413. Employer's contributions; payable monthly;
2 transfer to account; interest imposed upon delinquent
3 contributions; recovery.

4
5 Except as provided by W.S. 9-2-3207(a)(xi)(F)(III) or (IV),
6 9-3-431 and 9-3-432, each employer, excluding employers of
7 firefighter members, shall, on a monthly or semimonthly
8 basis, as determined by the state auditor under W.S.
9 9-1-402(c), pay into the account a contribution equal to
10 nine and thirty-seven hundredths percent (9.37%) of the
11 salary paid to each of its members covered under this
12 article for the period from July 1, 2021 through June 30,
13 2026 and thereafter a percentage of the salary paid as
14 determined in accordance with W.S. 9-3-413.1. Employers of
15 firefighter members shall pay into the account a
16 contribution equal to seven and twelve hundredths percent
17 (7.12%) of the salary paid. Employer contributions for any
18 month, together with the members' contributions for that
19 month, if any, shall be transferred to the board not later
20 than the twelfth day of the following month or, if deducted
21 from salary on a semimonthly basis, in two (2) equal
22 transfers to the board not later than the twelfth day and
23 the twenty-fourth day of the following month. These

1 contributions shall be credited to the account in a manner
2 as directed by the board. Any employer failing to transfer
3 contributions under this section in sufficient time for the
4 board to receive the contributions by the twenty-fifth day
5 of the month due shall be assessed interest at the assumed
6 rate of return as determined by the board, compounded
7 annually. Interest imposed under this section shall be
8 payable not later than the twelfth day of the next
9 succeeding month. If the contributions and any interest
10 imposed under this section are not transferred to the board
11 when due, they may be recovered, together with court costs,
12 in an action brought for that purpose in the first judicial
13 district court in Laramie County, Wyoming.

14

15 **9-3-413.1. Members' and employers' contributions**
16 **based on actuarially determined contribution rates;**
17 **calculation of rates; reports.**

18

19 (b) The actuarially determined contribution rate
20 shall be paid through monthly or semimonthly contributions,
21 as determined by the state auditor in accordance with W.S.
22 9-1-402(c), into the account as follows:

23

Section 2. The state auditor, the department of administration and information, the Wyoming retirement system, the legislative service office, the Wyoming judicial branch and any other affected state agency shall take any action before July 1, 2027 necessary to implement this act on July 1, 2027.

7

8 Section 3.

9

(a) Except as provided in subsection (b) of this section, 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.

14

15 (b) Section 1 of this act is effective July 1, 2027.

16

17 (END)