

SENATE FILE NO. SF0137

School finance-cash reserves.

Sponsored by: Senator(s) Dockstader, Landen and Schuler and  
Representative(s) Byron and Erickson

A BILL

for

1 AN ACT relating to school finance; extending the sunset  
2 date for an increase in school district operating balances  
3 and cash reserves; and providing for an effective date.

4

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

6

7 **Section 1.** W.S. 21-13-313(e) is amended to read:

8

9 **21-13-313. Distribution of funds from foundation**  
10 **account; property tax and cash reserve adjustment;**  
11 **regulations.**

12

13 (e) Not later than January 31 of each fiscal year,  
14 and except where a different percentage is otherwise  
15 specified in this subsection, the department shall compute

1 the amount by which each district's operating balance and  
2 cash reserves at the end of the preceding fiscal year  
3 exceed fifteen percent (15%) of the total foundation  
4 program amount computed under W.S. 21-13-309 for the  
5 preceding fiscal year. In making this calculation, the  
6 entire operating balance and cash reserves for each  
7 district for the fiscal year ending June 30, 1997, as  
8 computed by the department, shall be separately accounted  
9 for and excluded, until it has been completely expended by  
10 the district. Revenues from settlements of protested  
11 amounts attributable to levies assessed under W.S.  
12 21-13-102(a)(i)(A) and (ii)(A) and 21-13-201, regardless of  
13 the assessment year, shall be accounted for and excluded  
14 from the calculation under this subsection for a period of  
15 not more than one (1) year following that fiscal year in  
16 which the revenue was received by a district, as verified  
17 in writing by the district and certified by the county  
18 treasurer. Except as otherwise provided in 1997 Special  
19 Session Laws, chapter 3, section 306(e), as amended, and  
20 except as excluded under this subsection, that excess shall  
21 be deemed to be a state revenue under W.S. 21-13-310(a) for  
22 the purpose of determining distributions under W.S.  
23 21-13-311 and amounts to be rebated under W.S. 21-13-102.

1 The department shall promulgate rules, including reporting  
2 requirements and procedures for districts, to implement  
3 this subsection. As used in this section, "operating  
4 balance and cash reserves" means those financial resources  
5 of the district which are not encumbered by the district  
6 board of trustees for expenditure to meet an existing legal  
7 obligation or otherwise restricted by law or regulation for  
8 expenditure on specific educational programs. For purposes  
9 of this subsection, any balance within a district's  
10 separate account established under W.S. 21-15-109(e) for  
11 major building and facility repair and replacement shall be  
12 deemed restricted by law for expenditure as provided by  
13 W.S. 21-15-109(e) and shall not be considered an operating  
14 balance and cash reserve under this section. For the fiscal  
15 year ending June 30, 2022 through the fiscal year ending  
16 ~~June 30, 2026~~ June 30, 2028, the department shall compute  
17 the amount by which each district's operating balance and  
18 cash reserves at the end of the preceding fiscal year  
19 exceed thirty percent (30%) of the total foundation program  
20 amount computed under W.S. 21-13-309 for the preceding  
21 fiscal year. During this period, the amount of a district's  
22 operating balance and cash reserves that may be increased  
23 from fifteen percent (15%) to thirty percent (30%) of the

1 total foundation program amount computed under W.S.  
2 21-13-309 for the preceding fiscal year shall be accounted  
3 for and reported separately and shall not be transferred or  
4 expended for purposes of capital construction. For purposes  
5 of this subsection, "capital construction" does not include  
6 major building and facility repair and replacement as  
7 defined under W.S. 21-15-109(a)(iii).

8

9 **Section 2.** This act is effective July 1, 2025.

10

11

(END)