

HOUSE BILL NO. HB0131

Government membership and cooperation with associations.

Sponsored by: Representative(s) Brady, Allemand, Brown, G,
Johnson, McCann and Smith

A BILL

for

1 AN ACT relating to administration of the government;
2 prohibiting the payment of association and organization
3 membership fees from public funds; prohibiting the payment
4 of expenses for association and organization activities as
5 specified; specifying association-related documents and
6 other materials as public records; requiring government
7 entities to report participation in activities with
8 associations and organizations as specified; repealing the
9 ability to pay for memberships for Wyoming board of
10 professional engineers and professional land surveyors;
11 making conforming amendments; and providing for an
12 effective date.

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

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1 **Section 1.** W.S. 9-13-201 and 9-13-202 are created to
2 read:

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ARTICLE 2

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LIMITATION ON EXPENDITURE OF STATE FUNDS

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9-13-201. Definitions.

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(a) As used in this article:

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(i) "Government entity" means the state and all its branches, agencies, departments, commissions, institutions, instrumentalities and all political subdivisions including any county, city, town, school district, special district, joint powers board, community college and the University of Wyoming;

(ii) "Government member association" means any association or organization which is composed primarily of government entities or their officers or employees and whose purposes include influencing legislative or administrative action. "Government member association" does not include entities created through interstate compact or

1 joint powers boards formed for the primary purpose of
2 performing a specific governmental function or service.

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4 **9-13-202. Membership in associations and**
5 **organizations of other government entities.**

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7 (a) Notwithstanding any other provision of law, no
8 public funds shall be expended by any government entity for
9 any of the following:

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11 (i) The payment of membership fees or dues to
12 any government member association;

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14 (ii) Reimbursement for the expenses of room,
15 board or travel that are related to the government entity's
16 participation in the activities of a government member
17 association;

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19 (iii) Payment by or on behalf of a government
20 entity to any government member association for the
21 purposes of lobbying activities pursuant to W.S. 28-7-101;

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1 (iv) Contributions to political campaigns or
2 candidates.

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4 (b) If an officer, employee, contractor or any agent
5 of a government entity participates in the business or
6 activities of a government member association while acting
7 in their official capacity or while using public funds or
8 resources, the government entity shall document the
9 participation. The documentation shall include the amount
10 of time spent and the nature of the work performed while
11 participating in the government member association. The
12 documentation shall be published not less than once a month
13 on the government entity's website.

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15 **Section 2.** W.S. 16-4-201(a)(v) and by creating a new
16 paragraph (xv), 18-3-522 and 21-3-111(a)(x) are amended to
17 read:

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19 **16-4-201. Definitions; short title; designation of**
20 **ombudsman.**

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22 (a) As used in this act:

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1 (v) "Public records" when not otherwise
2 specified includes any information in a physical form
3 created, accepted, or obtained by a governmental entity in
4 furtherance of its official function and transaction of
5 public business which is not privileged or confidential by
6 law. Without limiting the foregoing, the term "public
7 records" includes any written communication or other
8 information, whether in paper, electronic, or other
9 physical form, received by a governmental entity in
10 furtherance of the transaction of public business of the
11 governmental entity, whether at a meeting or outside a
12 meeting. Electronic communications solely between students
13 attending a school in Wyoming and electronic communications
14 solely between students attending a school in Wyoming and a
15 sender or recipient using a nonschool user address are not
16 a public record of that school. Records created by a
17 governmental entity related to the governmental entity's
18 activity with a government member association shall be
19 public records. As used in this paragraph, a "school in
20 Wyoming" means the University of Wyoming, any community
21 college and any public school within a school district in
22 the state;

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1 (xv) "Government member association" means any
2 association or organization which is composed primarily of
3 government entities or their officers or employees and
4 whose purposes include influencing legislative or
5 administrative action. "Government member association" does
6 not include entities created through interstate compact or
7 joint powers boards formed for the primary purpose of
8 performing a specific governmental function or service.

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10 **18-3-522. Membership in organizations for furtherance**
11 **of good government.**

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13 Each board of county commissioners may ~~take out a county~~
14 ~~membership and~~ cooperate with associations and
15 organizations of other counties or county officials within
16 or without this state for the furtherance of good
17 government and the protection of county interests. ~~The cost~~
18 ~~of~~ Any membership ~~may be paid with county funds in or~~
19 cooperation with such associations is subject to W.S.
20 9-13-202.

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22 **21-3-111. Powers of boards of trustees.**

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