

SENATE FILE NO. SF0125

Wyoming business council-amendments.

Sponsored by: Senator(s) Crum, Anderson, Barlow, Crago and
Nethercott

A BILL

for

1 AN ACT relating to the administration of the government;
2 amending programs, functions and operations of the Wyoming
3 business council; specifying requirements for the Wyoming
4 business council; making conforming amendments; specifying
5 limitations of the Wyoming business council; specifying
6 applicability; requiring reports; creating a task force;
7 providing appropriations; and providing for effective
8 dates.

9

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

11

12 **Section 1.**

13

1 (a) On and after April 15, 2027 and subject to any
2 other legislation providing otherwise, the Wyoming business
3 council shall:

4

5 (i) Not accept any new applications for grants,
6 loans, bonds or other funding for any programs operated by
7 the Wyoming business council or for any programs for which
8 the council has been delegated administration or operation;

9

10 (ii) Not process any pending applications for
11 grants, loans, financial aid, bonds or other funding for
12 any programs operated by the Wyoming business council or
13 for any programs for which the council has been delegated
14 administration or operation;

15

16 (iii) Not approve any grants or financial aid or
17 disburse any grant funds for financial aid for grants or
18 applications not approved or executed before the effective
19 date of this section. For purposes of this paragraph, the
20 business council may disburse grant funds and financial aid
21 encumbered or obligated until April 15, 2027;

22

1 (iv) Not approve any loans or bonds or disburse
2 any funds for loans or bonds not approved or executed
3 before the effective date of this section.

4

5 (b) Not later than April 30, 2026, the Wyoming
6 business council shall report to the joint appropriations
7 committee, the joint minerals, business and economic
8 development interim committee, the governor, the state
9 budget department, the state loan and investment board and
10 the Wyoming energy authority on all of the following:

11

12 (i) The total amount of grant funds and
13 financial aid obligated for disbursement, but not
14 disbursed, approved or executed before the effective date
15 of this section, itemized by program;

16

17 (ii) The number of loans executed by the
18 business council before the effective date of this section
19 that are still outstanding as of the date of the report
20 required under this subsection. In reporting information
21 under this paragraph, the business council shall itemize
22 each loan by program and report the recipient of each
23 outstanding loan, the terms and conditions of each

1 outstanding loan, the repayment schedule for each loan and
2 the amount remaining to be repaid for each outstanding
3 loan;

4

5 (iii) The number of bonds executed by the
6 business council before the effective date of this section
7 that are still outstanding as of the date of the report
8 required under this subsection. In reporting information
9 under this paragraph, the business council shall report
10 each outstanding bond, the terms and conditions of each
11 outstanding bond and any amount remaining to be paid or
12 repaid for each outstanding bond;

13

14 (iv) All real and personal property owned or
15 held by the business council as of the date of the report
16 required under this subsection. Information reported under
17 this paragraph shall include the program or function for
18 which the property is owned or held;

19

20 (v) Each program and function administered or
21 operated by the business council not otherwise specified in
22 this subsection;

23

1 (vi) Each set or group of funds received by the
2 business council for:

3

4 (A) Funds held or invested by or for the
5 Wyoming business council for any programs for which the
6 business council has statutory authority or other delegated
7 authority to operate and administer, and the associated
8 programs and functions connected to or funded by those
9 funds;

10

11 (B) Funds received by the business council
12 from any nonstate source for disbursement or expenditure
13 for any purpose, program or function for which the business
14 council has statutory authority or other delegated
15 authority to operate and administer, and the associated
16 programs and functions connected to or funded by those
17 funds;

18

19 (C) Funds or accounts held or administered
20 by the Wyoming business council containing funds or created
21 within the revolving investment fund created under article
22 16, section 12 of the Wyoming constitution;

23

1 (D) Any other program, function or group of
2 funds assigned to the business council by law not otherwise
3 specified in this section.

4
5 **Section 2.** 9-2-2604(c), 9-2-2611(m), 9-12-104 by
6 creating a new subsection (c), 9-12-105(a)(intro),
7 (b)(intro), (c)(intro) and (d)(intro), 9-12-106(a)(intro)
8 and (b), 9-12-109 by creating a new subsection (o),
9 9-12-201, 9-12-302(a), 9-12-308(b), 9-12-601(b),
10 9-12-801(b), 9-12-902(a), 9-12-1104(a), 9-12-1202,
11 9-12-1301, 9-12-1501(a), 9-20-102(b), 21-18-104 and
12 40-11-102(b) are amended to read:

13

14 **9-2-2604. Workforce development training fund**
15 **established.**

16

17 (c) Expenditures from the workforce development
18 training fund for purposes authorized in subsection (b) of
19 this section shall be approved by the director of the
20 department of workforce services based on procedures,
21 criteria and performance measures established by
22 regulations. Notification of expenditures approved under
23 paragraphs (b)(iii) and (iv) of this section and a copy of

1 the training fund application shall be provided to the
2 Wyoming business council, subject to W.S. 9-12-104(c). The
3 director of the department of workforce services shall
4 report annually to the governor and the legislature on the
5 expenditures made from the training fund in the preceding
6 fiscal year and the results of the activities funded by the
7 training fund.

8

9 **9-2-2611. Priority economic sector business workforce**
10 **training programs; eligibility.**

11

12 (m) Subject to W.S. 9-12-104(c), the Wyoming business
13 council shall assist the department with review of
14 information provided under paragraphs (h)(i) and (ii) of
15 this section, as requested by the department. If the
16 department determines that an applicant meets the criteria
17 established in this section and has complied with the
18 applicable procedures and review processes established by
19 the department, the department may recommend funding for a
20 priority economic sector business workforce development
21 program and the disbursement of funds under contract to the
22 eligible training provider. The recipient eligible
23 training provider shall use funds received under the

1 program in accordance with the provisions of the contract.
2 No funding shall be provided for any program without the
3 written opinion of the attorney general certifying the
4 legality of the transaction and all documents connected
5 therein. Upon recommendation of the department,
6 certification by the attorney general, and approval by the
7 governor or his designee, funding from the Wyoming
8 workforce development-priority economic sector partnership
9 subaccount may be distributed to the eligible training
10 provider.

11

12 **9-12-104. General powers and duties of the council.**

13

14 (c) For the period beginning July 1, 2026 and ending
15 June 30, 2027, the Wyoming business council shall not take
16 any action that expands any program, duty or function of
17 the Wyoming business council and shall not assume any new
18 program, duty or function until July 1, 2027, unless
19 otherwise required by law.

20

21 **9-12-105. Economic development services.**

22

1 (a) It shall be the duty of the council to encourage,
2 stimulate and support the development and expansion of the
3 economy of the state. Subject to W.S. 9-12-104(c), the
4 council is charged with the following duties and
5 responsibilities:
6

7 (b) The council, in consultation with the coordinator
8 of economic diversification, shall implement the
9 "startup:Wyoming" program in priority economic sectors
10 identified in the approved twenty (20) year comprehensive
11 economic diversification strategy under W.S.
12 9-12-1402(a)(iv), subject to W.S. 9-12-104(c). The program
13 shall:
14

15 (c) The council shall administer a
16 "kickstart:Wyoming" program to provide funding to early
17 stage ventures of Wyoming based entrepreneurs. Funding
18 under this subsection shall be provided upon approval of
19 the council, subject to W.S. 9-12-104(c). The council
20 shall adopt rules for funding under this subsection in
21 consultation with the coordinator of economic
22 diversification. Funding shall be in amounts ranging from
23 five thousand dollars (\$5,000.00) to fifty thousand dollars

1 (\$50,000.00) and be provided under the following
2 conditions:

3

4 (d) The council shall administer a small business
5 innovation research matching program in accordance with
6 this subsection, subject to W.S. 9-12-104(c). The program
7 shall match federal funds approved for Wyoming based
8 companies as provided in this subsection. The program
9 shall be administered by the council in consultation with
10 the University of Wyoming research office. The following
11 shall apply to the program under this subsection:

12

13 **9-12-106. Planning and research.**

14

15 (a) Subject to W.S. 9-12-104(c), it shall also be the
16 duty of the council to:

17

18 (b) Subject to W.S. 9-12-104(c), the council may
19 establish a Wyoming market research center to conduct
20 regional, national and international market research for
21 Wyoming small businesses and potential entrepreneurs and to
22 conduct market feasibility studies for value added projects
23 across all economic sectors, including agriculture. The

1 center may utilize the services of student interns from the
2 University of Wyoming and community colleges to provide
3 those students with practical marketing experience.

4

5 **9-12-109. Promotion of agriculture; financing of**
6 **agriculture processing projects; revenue bonds.**

7

8 (o) This section and any program or funding provided
9 for in this section shall be subject to W.S. 9-12-104(c).

10

11 **9-12-201. Assumption of science technology and energy**
12 **authority functions.**

13

14 In assuming the functions of the science energy and
15 technology authority, the council shall administer the
16 program in accordance with the provisions of this act
17 generally and the specific provisions of this article,
18 subject to W.S. 9-12-104(c).

19

20 **9-12-302. Wyoming partnership challenge loan program;**
21 **creation; rulemaking; administration account.**

22

1 (a) The council shall establish and administer a
2 partnership challenge loan program under this article and
3 may contract for necessary professional services, subject
4 to W.S. 9-12-104(c). Loans authorized under the program
5 shall be limited, except as otherwise provided under W.S.
6 9-12-304(c) through (k), to community development
7 organizations and state development organizations and made
8 in accordance with the provisions of W.S. 9-12-304. Any
9 community development organization or state development
10 organization may submit an application to the council to
11 participate in the program on forms prescribed by and
12 subject to rules promulgated by the council.

13

14 **9-12-308. Large project loan program.**

15

16 (b) Subject to W.S. 9-12-104(c), funds in the large
17 project account within the revolving investment fund shall
18 be used exclusively to promote and aid economic development
19 of the state by providing loan guarantees or loans to
20 proposed or existing enterprises that will employ people
21 within the state, provide services in the state, use
22 resources in the state or otherwise add economic value to

1 goods, services or resources within the state consistent
2 with this section.

3

4 **9-12-601. Wyoming business ready community program;**
5 **purpose; creation; rulemaking.**

6

7 (b) The council shall establish and administer a
8 Wyoming business ready community program as provided by
9 this article and subject to W.S. 9-12-104(c). Any city,
10 town, county or the Eastern Shoshone or Northern Arapaho
11 tribe, or the cooperative tribal governing body, may submit
12 an application to the council for a grant or loan under the
13 program on forms prescribed by and subject to rules
14 promulgated by the council. Grants or loans may be applied
15 for by a joint powers board with the approval of all
16 participating agencies to the joint powers agreement.
17 Grants and loans may be made by the council for economic or
18 educational development, planning or infrastructure
19 projects, including the purchase of land, buildings,
20 facilities, telecommunications infrastructure, rights of
21 way, airports, sewer and water projects, roads,
22 landscaping, recreational and convention facilities or
23 other infrastructure determined by the council to be

1 consistent with the purposes of this article. In adopting
2 rules and making grants and loans under this article the
3 council shall require all projects to be related to
4 economic or educational development, planning or
5 infrastructure, which shall not include rehabilitation or
6 expansion of existing infrastructure unless the council
7 determines the rehabilitation or expansion is necessary to
8 meet the purposes of this article. Planning grants and
9 loans shall be limited as provided in subsection (m) of
10 this section. All grants or loans made under this article
11 shall be referred by the council to the state loan and
12 investment board for final approval or disapproval. The
13 state loan and investment board may adopt rules as
14 necessary to implement its duties under this article.

15

16 **9-12-801. Wyoming community facilities program;**
17 **purpose; creation; administration by council; rulemaking**
18 **authority; eligible projects.**

19

20 (b) The council shall administer a Wyoming community
21 facilities program as provided by this article, subject to
22 the approval of grants and loans by the state loan and

1 investment board as provided by this article and subject to
2 W.S. 9-12-104(c).

3

4 **9-12-902. Wyoming workforce housing infrastructure**
5 **program; creation; rulemaking.**

6

7 (a) The council shall establish and administer a
8 Wyoming workforce housing infrastructure program as
9 provided by this article, subject to W.S. 9-12-104(c). Any
10 city, town, county, special improvement district or the
11 Eastern Shoshone or Northern Arapaho tribe, or the
12 cooperative tribal governing body, may submit an
13 application to the council for a loan under the program on
14 forms prescribed by and subject to rules promulgated by the
15 council. Loans may be applied for by a joint powers board
16 with the approval of all participating agencies to the
17 joint powers agreement. Loans may be made by the council
18 for workforce housing infrastructure projects and community
19 land trust projects. In adopting rules and making loans
20 under this article the council shall require all projects
21 to be related to workforce housing infrastructure or
22 community land trusts.

23

1 **9-12-1104. Duties of the council.**

2

3 (a) Subject to W.S. 9-12-104(c), the council shall
4 establish and administer a Wyoming main street program to
5 coordinate state and local participation in programs
6 offered by the national main street center, created by the
7 national trust for historic preservation, to assist
8 municipalities in planning, managing and implementing
9 programs for the revitalization of business areas.

10

11 **9-12-1202. Energy performance contracting.**

12

13 Subject to W.S. 9-12-104(c), the council shall establish a
14 Wyoming energy conservation improvement program which
15 provides support development and implementation of energy
16 performance contract projects to facility owners
17 voluntarily participating in the program. In order to
18 participate in the program, facility owners and energy
19 services companies shall be subject to the provisions of
20 this article and rules adopted pursuant to this article.

21

22 **9-12-1301. Short title.**

23

1 (a) This article shall be known and may be cited as
2 the "Wyoming small business investment credit program".

3
4 (b) This program and any other funding specified in
5 this article shall be subject to W.S. 9-12-104(c).

6
7 **9-12-1501. Broadband development program established;**
8 **purposes; eligibility; definitions.**

9
10 (a) Subject to W.S. 9-12-1504(c), a broadband funding
11 program is established under the Wyoming business council
12 to provide funds to eligible applicants in order to promote
13 the expansion of access to broadband service in unserved
14 areas of the state.

15
16 **9-20-102. Wyoming mineral to value added product**
17 **program; rulemaking authority.**

18
19 (b) The Wyoming business council shall establish and
20 administer the program under this act, subject to W.S.
21 9-12-104(c). Any commercial scale minerals to value added
22 products facility shall submit a proposal to the governor.
23 The governor may provide recommendations for the size and

1 parameters of the proposed contract. An application to
2 participate in the program shall then be submitted to and
3 reviewed by the Wyoming business council under the process
4 set forth in W.S. 9-12-601 through 9-12-603. The
5 application shall be submitted on forms prescribed by, and
6 subject to rules promulgated by, the Wyoming business
7 council. In determining whether to recommend a contract
8 for approval, the Wyoming business council shall consider
9 if the applicant has demonstrated a business plan, balance
10 sheet, sufficient cash flow, commitments to sell the
11 finished product and other indices necessary to demonstrate
12 the applicant's ability to perform under the contract as
13 determined by rule and regulation of the Wyoming business
14 council.

15

16 **21-18-104. Small business development centers.**

17

18 The small business development centers shall be operated by
19 the University of Wyoming. The university shall specify the
20 organizational structure of the network of centers in
21 consultation with the Wyoming business council created by
22 W.S. 9-12-103. The university shall integrate the
23 operations of the centers with the Wyoming business

1 council, subject to W.S. 9-12-104(c), to the fullest extent
2 permitted by federal law.

3

4 **40-11-102. Application by public corporation to**
5 **establish and operate zone; designation of agency to apply**
6 **on behalf of state.**

7

8 (b) Subject to W.S. 9-12-104(c), the Wyoming business
9 council is the public entity designated and authorized to
10 apply, on behalf of the state of Wyoming, for foreign trade
11 zone authority, sub-zone authority or port of entry
12 pursuant to the act of congress and regulations issued
13 pursuant to the act.

14

15 **Section 3.**

16

17 (a) There is created the Wyoming business council
18 legislative task force to consist of the following members:

19

20 (i) The governor or the governor's designee;

21

22 (ii) Two (2) members of the house of
23 representatives, appointed by the speaker of the house of

1 representatives. One (1) member appointed under this
2 paragraph shall be designated by the speaker of the house
3 as cochairman of the task force;

4

5 (iii) Two (2) members of the senate, appointed
6 by the president of the senate. One (1) member appointed
7 under this paragraph shall be designated by the president
8 of the senate as cochairman of the task force;

9

10 (iv) One (1) member representing the mineral
11 industry, to be appointed by the governor;

12

13 (v) One (1) member representing the construction
14 industry, to be appointed by the governor;

15

16 (vi) One (1) member representing the
17 manufacturing industry, to be appointed by the governor;

18

19 (vii) One (1) member representing power
20 generation in Wyoming, to be appointed by the governor;

21

1 (viii) One (1) member representing a local
2 economic development organization, to be appointed by the
3 governor;

4

5 (ix) One (1) member representing the retail
6 industry, to be appointed by the governor;

7

8 (x) One (1) member representing the tourism
9 industry, to be appointed by the governor;

10

11 (xi) One (1) member representing the agriculture
12 industry, to be appointed by the governor.

13

14 (b) The task force shall be staffed by the
15 legislative service office.

16

17 (c) The task force shall meet not less than three (3)
18 times during the work of the task force.

19

20 (d) Legislative members of the task force shall
21 receive salary, per diem and mileage as provided by W.S.
22 28-5-101. Members of the task force who are not members of

1 the legislature or state employees shall receive per diem
2 and mileage as provided by W.S. 28-5-101.

3

4 (e) The task force shall:

5

6 (i) Complete a comprehensive evaluation and
7 review of the Wyoming business council, its operations and
8 each of its programs, duties and functions;

9

10 (ii) Solicit feedback and recommendations on
11 economic development initiatives that are needed or desired
12 in Wyoming and what role, if any, the Wyoming business
13 council should play in implementing those initiatives;

14

15 (iii) Review the information reported and
16 submitted under section 1 of this act;

17

18 (iv) Evaluate which programs, duties and
19 functions of the Wyoming business council should be
20 retained, modified, privatized, transferred or eliminated;

21

22 (v) Consider and develop recommended
23 improvements for the operations of the Wyoming business

1 council, including how the Wyoming business council
2 interacts with and involves the Wyoming business community;

3

4 (vi) Consider and develop proposed legislation
5 to implement any recommendations or proposals developed
6 through the task force's work under this subsection.

7

8 (f) Not later than October 1, 2026, the task force
9 shall:

10

11 (i) Report its findings and recommendations for
12 the Wyoming business council to the governor and the joint
13 minerals, business and economic development interim
14 committee;

15

16 (ii) Forward any proposed legislation for the
17 2027 general session to the joint minerals, business and
18 economic development interim committee or to another
19 applicable committee.

20

21 (g) The task force may request the assistance of any
22 state agency or other entity in completing its work. Upon
23 receiving a request under this subsection, each agency or

1 entity shall provide assistance to the task force as
2 requested.

3

4 (h) The task force created under this section shall
5 terminate on December 31, 2026.

6

7 **Section 4.**

8

9 (a) There is appropriated twenty thousand dollars
10 (\$20,000.00) from the general fund to the legislative
11 service office for purposes of providing salary, per diem
12 and mileage to the legislative members of the task force
13 created under section 3 of this act. This appropriation
14 shall be for the period beginning with the effective date
15 of this act and ending June 30, 2028. This appropriation
16 shall not be transferred or expended for any other purpose
17 and any unexpended, unobligated funds remaining from this
18 appropriation shall revert as provided by law on June 30,
19 2028.

20

21 (b) There is appropriated forty thousand dollars
22 (\$40,000.00) from the general fund to the office of the
23 governor for purposes of providing per diem and mileage to

1 nonlegislative members of the task force created under
2 section 3 of this act. This appropriation shall be for the
3 period beginning with the effective date of this act and
4 ending June 30, 2028. This appropriation shall not be
5 transferred or expended for any other purpose and any
6 unexpended, unobligated funds remaining from this
7 appropriation shall revert as provided by law on June 30,
8 2028. It is the intent of the legislature that this
9 appropriation not be included in the standard budget of the
10 office of the governor for the immediately succeeding
11 fiscal biennium.

12

13 **Section 5.** Nothing in this act shall be construed to
14 impair any existing contracts, agreements or other
15 obligations of the Wyoming business council executed before
16 the effective date of this section.

17

