

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Local tourism marketing relief-COVID-19.

Sponsored by: Joint Travel, Recreation, Wildlife & Cultural
Resources Interim Committee

A BILL

for

1 AN ACT relating to the emergency expenses of government
2 regarding local tourism; providing a reappropriation for
3 local tourism marketing and visitor impact services;
4 providing for distribution of the funds; providing for
5 audits of the recipients of funds, providing rule making
6 authority; and providing for an effective date.

7

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

9

10 **Section 1.**

11

1 (a) There is reappropriated to the Wyoming office of
2 tourism five million dollars (\$5,000,000.00) from any
3 federal funds appropriated in 2020 Wyoming Special Session
4 Laws, Chapter 1, Section 2(b), and as authorized and made
5 available for expenditure in Section 2(c)(i) through (iii),
6 to be distributed by the office of tourism as specified by
7 subsection (b) of this section. If a COVID-19 relief
8 account or other similarly named account is created for the
9 deposit of COVID-19 related emergency response funds, this
10 reappropriation shall be made from that account. The funds
11 reappropriated under this section shall only be distributed
12 and expended as authorized by subsection (b) of this
13 section and consistent with the terms of the federal gift,
14 grant or appropriation from which the funds originate. This
15 reappropriation shall not be transferred or expended for
16 any other purpose except that on or before November 30,
17 2020, the treasurer of each county, city or town that
18 received funds under this act, and in coordination with the
19 office of tourism, shall estimate the total amount of funds
20 expended, obligated and necessary for the purposes of
21 subsection (c). Any funds received in excess of the total
22 amount estimated by the treasurer of each county, city or
23 town that received funds shall be reappropriated to the

1 office of the governor for the purposes specified in 2020
2 Wyoming Special Session Laws, Chapter 1. Funds
3 reappropriated to the office of the governor shall be
4 subject to any limitations imposed by 2020 Wyoming Special
5 Session Laws, Chapter 1. Any unobligated, unexpended funds
6 remaining from this reappropriation on or after December
7 31, 2020 shall revert as provided by law.

8
9 (b) In consultation with the department of revenue,
10 the office of tourism shall distribute the funds
11 reappropriated under subsection (a) of this section to the
12 treasurer of each county, city or town imposing a lodging
13 tax as authorized by W.S. 39-15-204(a)(ii). Each treasurer
14 receiving funds under this section shall only use the funds
15 as authorized by subsection (c) of this section. Consistent
16 with the distribution allocation provided by W.S. 39-15-
17 211(a)(ii)(B), the office of tourism shall use the lodging
18 tax collected in each county, city or town in fiscal year
19 2019 to determine the proportionate share each county, city
20 or town shall receive under this section. No funds shall be
21 deducted by the office of tourism to defray administrative
22 costs and the office of tourism shall distribute the funds

1 as one (1) lump sum payment to each entity and not through
2 a monthly distribution.

3

4 (c) The treasurer of each county, city or town
5 receiving a distribution under subsection (b) of this
6 section shall only use the funds as authorized by the
7 federal Coronavirus Aid, Relief, and Economic Security
8 (CARES) Act, P.L. No. 116-136, to reimburse the county,
9 city or town for actual expenses incurred or that will be
10 incurred due to the public health emergency caused by
11 COVID-19 and only in the following amounts and for the
12 following purposes:

13

14 (i) Seventy percent (70%) shall be used to
15 reimburse expenses related to the promotion of travel and
16 tourism within the county, city or town imposing the
17 lodging tax and in accordance with W.S. 39-15-
18 211(a)(ii)(B)(I);

19

20 (ii) Thirty percent (30%) shall be used to
21 reimburse expenses related to the provision of visitor
22 impact services within the county, city or town imposing
23 the lodging tax. If the lodging tax was imposed countywide

1 through a joint powers board, the county treasurer shall
2 distribute an amount to the county in the proportion that
3 the lodging tax collected outside the corporate limits of
4 its cities and towns bears to the total amount of lodging
5 tax collected within the county, and to incorporated cities
6 and towns within the county in the proportion that the
7 lodging tax collected within the corporate limits of each
8 city and town bears to the total amount collected within
9 the county, provided that the funds shall only be used for
10 the provision of visitor impact services as specified in
11 this paragraph. As used in this paragraph, "visitor impact
12 services" means as defined by W.S. 39-15-
13 211(a)(ii)(B)(III)(3).

14

15 (e) The office of tourism may conduct and contract
16 for random audits of any county, city or town receiving
17 funds under this section to ensure funds are expended in
18 compliance with state and federal law. Any county, city or
19 town receiving funds under this section shall repay all
20 funds provided under this section if the county, city or
21 town uses any funds for expenses not authorized by this
22 section;

23

1 (d) In consultation with the department of revenue,
2 the office of tourism shall promulgate any rules necessary
3 to administer this act.

4

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

9

10

(END)