

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Federal emergency COVID-19 relief funding.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to emergency expenses of government;
2 authorizing expenditure of COVID-19 relief for expenditure
3 of funds on previously approved projects, grants or
4 procurements; providing a sunset date for expenditure of
5 the specified COVID-19 relief funds; designating the
6 department of family services as the administrating agency
7 for the federal emergency rental assistance program;
8 providing for other state agencies and entities to assist
9 in the administration of the program; providing certain
10 exemptions from procurement statutes as specified;
11 providing an appropriation; providing reappropriations;
12 specifying conditions on the reappropriations and

1 expenditure of funds; authorizing rulemaking; and providing
2 for an effective date.

3

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

5

6 **Section 1.** The department of family services shall
7 serve as the administering agency for the federal
8 emergency rental assistance program created under Division
9 N, Title V, Sec. 501 of the federal Consolidated
10 Appropriations Act of 2021 and any related subsequent
11 federal legislation. The department shall be authorized to
12 administer the emergency rental assistance program in
13 Wyoming in accordance with applicable federal law and
14 guidance and in a manner that insures maximum benefit to
15 Wyoming residents. The department shall be authorized to
16 designate to other state agencies or entities
17 administrative functions under this program. The
18 department shall be further authorized to issue grants
19 under this program for purposes of the provision of case
20 management and other housing support, as permitted by
21 relevant federal law and regulations. All actions taken
22 under this section for the administration of the emergency

1 rental assistance program are exempt from the competitive
2 bidding and other procurement requirements of chapter 6 of
3 title 16 of the Wyoming Statutes. The program created
4 under this section shall expire ninety (90) days after the
5 later of the expiration of the program under relevant
6 federal law or upon the expiration of any extension granted
7 for the use of funds under the program by the United States
8 department of treasury.

9
10 **Section 2.** Projects, grants or procurements which
11 were approved to receive funds provided to the state of
12 Wyoming through the federal Coronavirus Aid, Relief and
13 Economic Security (CARES) Act, P.L. 116-136 by all
14 necessary entities within the executive branch prior to
15 December 30, 2020, shall be funded as provided in this
16 section. The authority to approve the expenditure of funds
17 authorized in this section shall expire on December 31,
18 2021 unless continued by act of the legislature. CARES Act
19 funds shall be expended for projects, grants or
20 procurements under this section if the agency or entity
21 responsible for originally approving the application prior
22 to December 30, 2020 determines that payment of funds for

1 projects, grants or procurements under this section remains
2 in the best interest of the state of Wyoming. In utilizing
3 this discretion, the administrating agency or entity may
4 deny a payment of funds for a previously approved project,
5 grant or procurement if the agency or entity finds there
6 was no good cause for delay in undertaking a project or
7 implementing the grant or procurement and the denial is in
8 the best interest of the state. Funds shall be expended on
9 projects, grants or procurements under this section
10 pursuant to the relevant requirements under which the
11 application was originally approved as contained within
12 2020 Wyoming Special Session Laws, Chapter 1 and Chapter 3.

13

14 **Section 3.**

15

16 (a) There is appropriated to the department of family
17 services all federal funds received by the state of Wyoming
18 specifically for the federal emergency rental assistance
19 program created under Division N, Title V, Sec. 501 of the
20 federal Consolidated Appropriations Act of 2021 and any
21 related subsequent federal legislation. This appropriation
22 shall not be transferred or expended for any purpose,

1 except as provided in this subsection. Any unobligated,
2 unexpended funds remaining from this appropriation shall
3 revert as provided by law upon the expiration of the later
4 of the relevant federal law, reallocation by the secretary
5 of the United States department of treasury, or any
6 extension granted by the United States department of
7 treasury.

8
9 (b) There is reappropriated to the governor's office
10 an amount not to exceed twenty million dollars
11 (\$20,000,000.00) in total for all reappropriations under
12 section 2 of this act from any unexpended, unobligated
13 funds appropriated in 2020 Wyoming Special Session Laws,
14 Chapter 1, Section 2(b), Chapter 2, Section 4(d) and
15 Chapter 3, Sections 2(h), 3(h) and 4(g). The governor may
16 immediately transfer funds reappropriated under this
17 section to the state agency or entity designated to approve
18 the project, grant or procurements as provided in section 2
19 of this act. All transfers authorized under this section
20 shall be approved by the governor and reported to the
21 legislature and the joint appropriations committee as
22 provided in W.S. 9-4-206, 9-2-1005(b)(ii) and (g) and

1 9-2-1013(b). Nothing in this section shall restrict the
2 ability of a state agency to pay an invoice or obligation
3 approved and completed prior to December 30, 2020 with
4 funds appropriated in 2020 Wyoming Special Session Laws,
5 Chapter 1, Section 2(b), Chapter 2, Section 4(d) and
6 Chapter 3, Sections 2(h), 3(h) and 4(g). This
7 reappropriation shall not be transferred or expended for
8 any purpose except as provided in this subsection. Any
9 unobligated, unexpended funds remaining from this
10 reappropriation on December 31, 2021 shall revert as
11 provided by law.

12

13 **Section 4.** Any agency or entity authorized by or
14 under this act to administer any program, grant or other
15 disbursement may adopt rules, including emergency rules, as
16 necessary to fulfill its powers and duties in accordance
17 with the Wyoming Administrative Procedure Act.

18

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

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(END)