

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO.

Special districts bond elections exception.

Sponsored by: Joint Corporations, Elections & Political  
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to special districts; providing an  
2 exception to special district bond elections for  
3 improvement and service districts and water and sewer  
4 districts as specified; specifying applicability; and  
5 providing for an effective date.

6

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

8

9 **Section 1.** W.S. 18-12-120 and 41-10-128 are amended  
10 to read:

11

1           **18-12-120. Bond elections; resolution for submission**  
2 **of proposition to voters.**

3  
4           (a) By resolution of its board a district may submit  
5 to its qualified voters, by mail ballot or at an election  
6 on a date authorized under W.S. 22-21-103, as determined by  
7 the board of county commissioners, the proposition of  
8 issuing bonds pursuant to this act to provide funds for the  
9 acquisition, construction, improving or financing of  
10 improvements as well as performing services for the benefit  
11 of the residents of the district, including any or all  
12 expenses incidental thereto or connected therewith.

13  
14           (b) Notwithstanding subsection (a) of this section  
15 and the provisions of W.S. 22-21-101 through 22-21-112, any  
16 document executed by the board of a district evidencing an  
17 agreement to repay funds borrowed from the United States of  
18 America, the state of Wyoming or from any subdivision,  
19 agency or department of either the United States or the  
20 state of Wyoming, shall not be considered a bond, and shall  
21 not require an election under this chapter when:

22

1           (i) Repayment is to be made solely from revenues  
2 generated by the improvement or service with which a  
3 financed improvement or service is associated; and

4  
5           (ii) Security for the loan or borrowed funds is  
6 restricted to a claim on the revenues generated from the  
7 proposed improvement or service or to a claim on the assets  
8 of the improvement or service.

9  
10          (c) No bonds shall issue in the event an agreement to  
11 repay borrowed funds is reached pursuant to subsection (b)  
12 of this section.

13  
14          **41-10-128. Borrowing money and issuing bonds for**  
15 **purpose of acquiring or improving water or sewer system or**  
16 **other income-producing project.**

17  
18          (a) A district in pursuance of a resolution may borrow  
19 money, issue bonds, or otherwise extend its credit for the  
20 purpose of acquiring or improving a water or sewer system,  
21 or other income-producing project; provided that the bonds  
22 or other obligations shall be made payable solely out of  
23 the net revenues derived from the operation of the system

1 or other such project; and the systems and projects may be  
2 combined, operated and maintained as joint systems or  
3 projects, in which case the bonds or other obligations  
4 shall be made payable solely out of the net revenues  
5 derived from the operation of the joint systems or  
6 projects. No revenue bonds or other like securities shall  
7 be issued unless the issuance thereof has been submitted to  
8 a vote of the electors and approved by a majority of the  
9 qualified taxpaying electors voting on the question and by  
10 a majority of other qualified electors voting thereon, or,  
11 if no ballots are cast in one (1) of the ballot boxes and a  
12 majority of the ballots in the other ballot box favor the  
13 issuance of such bonds or other like securities, approved  
14 either by a majority of the qualified taxpaying electors  
15 voting thereon or by a majority of the other qualified  
16 electors voting thereon, as the case may be, at an election  
17 held as provided for bond elections by the Political  
18 Subdivision Bond Election Law, W.S. 22-21-101 through  
19 22-21-112.

20

21 (b) Notwithstanding subsection (a) of this section  
22 and the provisions of W.S. 22-21-101 through 22-21-112, any  
23 document executed by a district evidencing an agreement to

1 repay funds borrowed from the United States of America, the  
2 state of Wyoming or from any subdivision, agency or  
3 department of either the United States or the state of  
4 Wyoming, shall not be considered a bond and shall not  
5 require an election under this chapter when:

6

7 (i) Repayment is to be made solely from revenues  
8 generated by the acquisition, improvement, equipment or  
9 project with which a financed acquisition, improvement,  
10 equipment or project is associated; and

11

12 (ii) Security for the loan or borrowed funds is  
13 restricted to a claim on the revenues generated from the  
14 proposed acquisition, improvement, equipment or project or  
15 to a claim on the assets of the acquisition, improvement,  
16 equipment or project.

17

18 (c) No bonds shall issue in the event an agreement to  
19 repay borrowed funds is reached pursuant to subsection (b)  
20 of this section.

21

1           **Section 2.** Nothing in this act shall be construed to  
2 impair or affect any bond, note or obligation issued or  
3 created before the effective date of this act.

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5           **Section 3.** This act is effective July 1, 2024.

6

7

(END)