**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Water districts-funds for maintenance projects.

Sponsored by: Select Water Committee

A BILL

for

AN ACT relating to irrigation projects; authorizing irrigation districts, watershed improvement districts and water conservancy districts to direct a portion of annual district funding for major maintenance projects; authorizing investments of major maintenance accounts; and providing for an effective date.

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

Section 1. W.S. 41-3-771, 41-7-402(a) and 41-8-121(a) are amended to read:

41-3-771. Methods of levying and collecting; class A.

To levy and collect taxes under class A as provided in W.S. 41-3-770, the board shall, in each year, determine the amount of money necessary to be raised by taxation, taking into consideration other sources of revenue of the district, and shall fix a rate of levy which when levied upon every dollar of assessed valuation of property within the district, and with other revenues will raise the amount required by the district, to supply funds for paying expenses of organization, for surveys and plans, paying the costs of construction, operating and maintaining the works of the district; provided, however, that said rate shall not exceed one-half (1/2) mill on the dollar, prior to the delivery of water from the works, and thereafter not to exceed one (1) mill on the dollar, of assessed valuation of the property within the district, except in the event of accruing defaults and/or deficiencies where an additional levy may be made as provided in W.S. 41-3-775. The board shall on or before the third Monday of July of each year, certify to the board of county commissioners of each county within the district or having a portion of its territory in the district, the rate so fixed with direction that at the time and in the manner required by law for levying of taxes for county purposes, such board of county commissioners shall levy such tax upon the assessed valuation of all property within the district, in addition to such other taxes as may be levied by such board of county commissioners, at the rate so fixed and determined; provided, however, that said assessment and tax levied under the provisions of this act shall not be construed as being a part of the general county mill levy. The amount to be raised under this section may include an amount for major maintenance projects for any critical aging irrigation infrastructure project as identified by the Wyoming water development office, provided that the annual amount directed for major maintenance shall not exceed ten percent (10%) of the annual amount raised under this section. All amounts assessed for major maintenance projects shall be held in a separate major maintenance account and funds in the account may be invested in the local government investment pool as provided in W.S. 9-1-419 to the extent eligible under W.S. 9-1-419 and the rules adopted under that section.

41-7-402. Due dates; annual budget of district; hearings on budget; petition for additional funds; hearings on petition.

(a) Assessments to meet expenses of any current year of any district shall become due, payable and delinquent at such time or times each year as may be fixed by law for state and county taxes to become due, payable and delinquent. Commissioners having charge of any irrigation district shall on or before the first Tuesday of June of each year file with the clerk of the court having jurisdiction of such district, a report showing an itemized estimate of the money to be raised by assessment within the district for the purpose of constructing new work, maintenance and to meet the yearly current expenses of the district. In addition to the amount above provided, the commissioners may add a sum which in their judgment shall be sufficient to provide for possible delinquencies. Within thirty (30) days after filing such annual report, at a time and place to be fixed by the court or a judge thereof, the judge shall examine such report, hear all objections thereto, fix and determine the amount to be raised by assessments for the current year and cause such adjudication to be entered of record in said court and a certified copy thereof to be delivered to the commissioners of such district. The commissioners shall add thereto such amount as may be necessary to meet the principal and interest on lawful indebtedness of the district maturing during the current year, together with a sum which in their judgment shall be sufficient to provide for possible delinquencies. When thus completed it shall be known as "the budget of .... district for the year (year)" and also be verified under oath by any one (1) of the commissioners. The amount to be raised under this subsection may also include an amount for major maintenance projects for any critical aging irrigation infrastructure project as identified by the Wyoming water development office, provided that the annual amount directed for major maintenance shall not exceed ten percent (10%) of the annual amount raised under this subsection. All amounts assessed for major maintenance projects shall be held in a separate major maintenance account and shall be pooled until the amount in the account is sufficient to provide funding for the major maintenance project. Funds in the major maintenance account may be invested in the local government investment pool as provided in W.S. 9-1-419 to the extent eligible under W.S. 9-1-419 and the rules adopted under that section.

41-8-121. Assessments generally.

(a) The board of directors shall, on or before the third Monday in July of each year, certify to the board of county commissioners of the county within the watershed improvement district in which assessed land is located the amount of the annual installments of assessments against the land, together with a fair proportionate amount of the estimated operating and maintenance charges apportioned to the land for the next succeeding year. Thereupon the county commissioners shall certify to and deliver the assessment roll to the county assessor of the county and the county assessor shall extend the amounts so certified on the tax roll as a flat special assessment against the land benefited. The assessments shall be subject to the same interest and penalties in case of delinquency as in the case of general taxes, and shall be collected at the same time and in the same manner as in the case of general taxes; provided, that the assessments shall become due and payable only at the times and in the amounts as may be determined by the board of directors. <u>The amount to be raised under this subsection may also include an amount for major maintenance projects for any critical aging irrigation infrastructure project as identified by the Wyoming water development office, provided that the annual amount directed for major maintenance shall not exceed ten percent (10%) of the annual amount raised under this subsection. All amounts assessed for major maintenance projects shall be held in a separate major maintenance account and shall be pooled until the amount in the account is sufficient to provide funding for the major maintenance project. Funds in the major maintenance account may be invested in the local government investment pool as provided in W.S. 9-1-419 to the extent eligible under W.S. 9-1-419 and the rules adopted under that section.</u>

Section 2. This act is effective July 1, 2026.

(END)