

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

County consensus funding program.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to the administration of the government;
2 creating and codifying the county consensus funding program
3 for local government projects; specifying requirements and
4 restrictions for the program; specifying duties; creating
5 an account; requiring reports; providing an appropriation;
6 requiring rulemaking; and providing for effective dates.

7

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

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10 **Section 1.** W.S. 9-30-101 and 9-30-102 are created to
11 read:

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STAFF COMMENT

The language in this bill draft is based on the budget amendment to 2026 House Bill 0001 (H3088) that would have authorized funds reverted from the Business Ready Community Account to provide funds for consensus grants for local governments.

The Committee may wish to consider including definitions for terms that are in the program (including "capital improvement project" or "capital project").

The Committee may also wish to consider whether further parameters or requirements should be included in statute (for example, more language about an application process for the consensus funding; the permitted uses of funds; limits on the amounts of funds or the distribution of funds for all counties or other governmental entities).

CHAPTER 30

COUNTY CONSENSUS FUNDING PROGRAM

9-30-101. County consensus funding program.

(a) The county consensus funding program is created.

The office of state lands and investments shall administer the program in accordance with this chapter.

1 (b) On and after July 1 of each year, the office of
2 state lands and investments shall distribute grants from
3 funds available in the county consensus account and subject
4 to any conditions or requirements of any appropriation made
5 to the account, to be allocated for each county as follows:

6
7 (i) To each county an amount equal to the total
8 amount allocated in this subsection multiplied by seventy-
9 five percent (75%) divided by the three (3) year rolling
10 average of the total estimated state population multiplied
11 by the three (3) year rolling average of the county's
12 estimated population; plus

13
14 (ii) To each county an amount equal to the total
15 amount allocated in this subsection multiplied by twenty-
16 five percent (25%) and then multiplied by each county's
17 inverse per capita assessed valuation factor, computed as
18 follows:

19
20 (A) Divide each county's assessed valuation
21 for the immediately preceding tax year by that county's
22 population to compute county assessed valuation per capita
23 and the total state assessed valuation for the immediately

1 preceding tax year by the total state population to compute
2 state assessed valuation per capita;

3

4 (B) Divide the state assessed valuation per
5 capita by each county's assessed valuation per capita to
6 compute an inverse ratio for each county;

7

8 (C) Sum all the county inverse ratios
9 computed in subparagraph (B) of this paragraph for a state
10 total inverse ratio;

11

12 (D) Divide each county's inverse ratio by
13 the state total inverse ratio to compute each county's per
14 capita assessed valuation factor.

15

16 (c) Funds granted to counties under this chapter shall
17 only be expended for capital projects, major maintenance
18 and repair of existing public facilities and
19 infrastructure, including expenditures undertaken by
20 special districts.

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24 **STAFF COMMENT**

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 2 For subsection (c) above, the Committee may wish to
 3 consider defining or specifying further requirements for
 4 what is (or is not) a "capital project." While the further
 5 language (concerning facility type and major maintenance)
 6 may lend help in defining "capital project," it is possible
 7 that the term could be construed broadly.

8
 9 The Committee may also wish to consider defining or
 10 expressly specifying which governmental entities may be
 11 eligible for consensus grants (i.e., special districts),
 12 and whether different governmental entities have different
 13 limitations or authorizations for expenditures (i.e., do
 14 special districts have different project requirements).

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19 (d) To be eligible for grants under this section, the
 20 board of county commissioners and the governing bodies of
 21 not less than fifty percent (50%) of the incorporated
 22 cities and towns in that county shall certify to the state
 23 loan and investment board that they have reached agreement
 24 on the capital projects for which the funds shall be used.

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28 **STAFF COMMENT**

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 30 The language of subsection (d) above is based on the 2014
 31 Budget Bill and the amendment for 2026 House Bill 0001.
 32 Below is an alternate version of that subsection for the
 33 Committee's consideration that provides greater detail into
 34 the consensus process.

35
 36 (d) Grant funds shall be awarded to counties for
 37 distribution to counties and cities, towns and special

1 districts within the county in accordance with all of the
2 following:

3

4 (i) Not less than one (1) time each fiscal year,
5 the board of county commissioners in each county shall
6 solicit requests for capital projects using grant funding
7 under this chapter from cities, towns and special districts
8 in the county. The board of county commissioners may
9 determine the county's requests for capital projects for
10 the county. The board of county commissioners shall compile
11 the list of requests received from the county and each
12 city, town and special district in the county and make that
13 list public;

14

15 (ii) Each board of county commissioners shall
16 provide not less than one (1) opportunity for public
17 comment on the list of proposed capital projects for
18 funding;

19

20 (iii) The board of county commissioners shall
21 submit to the office of state lands and investments a list
22 of all proposed capital projects for which a consensus of
23 the board of county commissioners and the governing bodies
24 of the cities and towns within that county that comprise
25 not less than fifty percent (50%) of the incorporated
26 population have agreed should be funded using grant funds
27 awarded under this chapter;

28

29 (iv) Upon receipt of a list of capital projects
30 under paragraph (iii) of this subsection, the office of
31 state lands and investments shall disburse grant funds to
32 the county treasurer. The county treasurer shall distribute
33 grant funds to the county and each city, town and special
34 district that has capital projects that were included on
35 the list submitted under paragraph (iii) of this
36 subsection;

37

38 (v) The office of state lands and investments may
39 promulgate rules to establish deadlines by which counties,
40 cities, towns and special districts shall comply with this
41 subsection.

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1 (e) For purposes of this chapter, the population of a
2 city, town or county shall be determined by the economic
3 analysis division within the department of administration
4 and information.

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7 *****

8 **STAFF COMMENT**

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10 **The Committee may wish to consider adding the following**
11 **provisions in this bill draft:**

12

13 (f) Nothing in this chapter shall be construed to
14 limit the governor from making additional budget
15 recommendations for appropriations to cities, towns and
16 counties for capital projects under this chapter.

17

18 (g) The office of state lands and investments may
19 consult with the Wyoming business council and any other
20 governmental agency or entity in administering the program
21 under this chapter. Upon receiving a request for
22 consultation or information under this subsection, each
23 governmental agency or entity shall cooperate with the
24 office of state lands and investments and provide the
25 assistance or consultation requested.

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30 (f) Funds granted under this chapter that are in
31 excess of final project costs shall not revert to the
32 county consensus account, except as provided in subsection

33 (g) of this section, but may be applied by the recipient
34 governing bodies to any remaining county-level project

1 agreed upon in the consensus process under subsection (d)
2 of this section as determined by the governing bodies. To
3 the extent excess funds are not sufficient to complete an
4 additional project under this subsection, those excess
5 funds may be held by the county treasurer for future
6 project use as authorized in this chapter.

7

8 (g) Funds granted to a recipient governing body for
9 any project for which the funds will not be encumbered
10 shall revert to the county consensus account not later than
11 two (2) years after the appropriation was made to the
12 county consensus account. All reversions under this
13 subsection shall subsequently revert to the account from
14 which the original appropriation to the county consensus
15 account was made.

16

17 (h) Not later than July 1, 2028 and each July 1
18 thereafter, each board of county commissioners receiving
19 grant funds under this chapter shall report to the office
20 of state lands and investments on the amount of grant funds
21 received, the projects to which the funds have been
22 applied, and the status of each project funded in whole or
23 in part by grant funds from the county consensus account.

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2 (j) Not later than November 1, 2028 and each November
3 1 thereafter, the office of state lands and investments
4 shall report to the joint appropriations committee and the
5 joint minerals, business and economic development interim
6 committee on the county consensus funding program created
7 in this chapter. The report shall include, at a minimum,
8 the amount of funds granted from the county consensus
9 account to counties, cities, towns and special districts
10 during the immediately preceding fiscal year, the balance
11 of the county consensus account as of July 1, the projects
12 approved for funding under the program, the status of all
13 projects that were funded in the immediately preceding
14 fiscal year or that are not complete as of July 1 of that
15 year and any recommendations for legislative changes to the
16 program.

17

18 **9-30-102. County consensus funding program; account.**

19

20 The county consensus account is hereby created. Except as
21 provided in W.S. 9-30-101(g), funds in the account are
22 continuously appropriated to the office of state lands and
23 investments for grants to counties, cities, towns and

1 special districts in accordance with this chapter. The
2 state treasurer shall invest all funds in the account in
3 accordance with law and all investment earnings from the
4 account shall be credited to the account. The office of
5 state lands and investments may accept, and shall deposit
6 to the account, any gifts, contributions, donations, grants
7 or other funds specifically given or appropriated to the
8 office for the purposes of this chapter.

9

10 **Section 2.** There is appropriated XXX from the general
11 fund to the county consensus account, as created in section
12 1 of this act, for purposes of providing grants for the
13 county consensus funding program. This appropriation shall
14 be for the period beginning July 1, 2027. This
15 appropriation shall not be transferred or expended for any
16 other purpose.

17

18 **Section 3.** The office of state lands and investments
19 shall promulgate all rules necessary to implement this act.

20

21 **Section 4.**

22

1 (a) Except as provided in subsection (b) of this
2 section, this act is effective July 1, 2027.

3

4 (b) Sections 3 and 4 of this act are effective
5 immediately upon completion of all acts necessary for a
6 bill to become law as provided by Article 4, Section 8 of
7 the Wyoming Constitution.

8

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(END)