

HOUSE BILL NO. HB0042

Fuel tax revenue-restriction.

Sponsored by: Representative(s) Harshman, Blake, Greear,  
Moniz and Stubson and Senator(s)  
Wasserburger

A BILL

for

1 AN ACT relating to government expenditures; restricting the  
2 expenditure of fuel tax revenue as specified; and providing  
3 for an effective date.

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

6  
7 **Section 1.** W.S. 24-1-119, 39-17-111(d)(iv),  
8 39-17-211(d)(ii)(C) and 39-17-311(a)(iv)(D) are amended to  
9 read:

10  
11 **24-1-119. State highway fund created; income and**  
12 **expenditure.**

13  
14 There is created a fund known as the state highway fund, to  
15 the credit of which the state treasurer, who is designated

1 as the state official to receive all amounts paid by the  
2 United States under the act of congress approved July 11,  
3 1916, shall place all monies previously received for the  
4 fund, all money subsequently received from the United  
5 States, under cooperative agreements as authorized, all  
6 money derived from taxes levied for such purpose or  
7 appropriated for the fund, all monies received from the  
8 sale of state bonds for highway construction or  
9 improvement, all money received from the counties under  
10 cooperative agreements as hereinbefore authorized, and all  
11 other monies received from donations or bequests, which may  
12 be accepted by the commission on behalf of the state of  
13 Wyoming, or from any source designated by law for that  
14 purpose. Except as otherwise provided by law, all monies in  
15 the fund shall be available for the purpose of this act  
16 without further appropriation and no warrant shall be drawn  
17 on the fund excepting on a voucher approved by the director  
18 of the department of transportation or an assistant  
19 authorized by the director and approved by the  
20 transportation commission. It is provided that seventy-five  
21 percent (75%) of the amount of any bond issue subsequently  
22 issued by the state of Wyoming for the construction or  
23 improvement of state highways, after the payment of

1 overhead expense, shall be apportioned to and spent in each  
2 county in the proportion which the assessed valuation of  
3 each county by the last general assessment bears to the  
4 total assessment of the state.

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6 **39-17-111. Distribution.**

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8 (d) After crediting the amounts provided by  
9 subsection (c) of this section, the department shall  
10 deposit the balance of taxes collected under this article  
11 into the accounts within the state highway fund created  
12 under this subsection, with receipt and acknowledgement  
13 submitted to the state treasurer, as follows:

14

15 (iv) Fifty-seven and one-half percent (57.5%) to  
16 the state highway account. Any funds deposited to the  
17 highway fund under this paragraph which are attributable to  
18 the increase in fuel taxes authorized by 2013 Wyoming  
19 Session Laws, Chapter 49, Section 1 and effective July 1,  
20 2013 shall be separately accounted for by the department of  
21 transportation and shall be expended only for the costs of  
22 construction, reconstruction, maintenance and repair of the  
23 state highways. The department shall provide a

1 comprehensive report on revenue and expenditures  
2 attributable to the 2013 increase to the joint  
3 appropriations interim committee and the joint  
4 transportation, highways and military affairs interim  
5 committee on or before November 15 of each year, from the  
6 effective date of this act through November 15, 2020.

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8 **39-17-211. Distribution.**

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10 (d) The department shall:

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12 (ii) Distribute monthly the remainder as  
13 follows:

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15 (C) The remaining revenues shall be  
16 credited to the state highway fund for the maintenance,  
17 construction and reconstruction of state highways. Any  
18 funds deposited to the highway fund under this subparagraph  
19 which are attributable to the increase in fuel taxes  
20 authorized by 2013 Wyoming Session Laws, Chapter 49,  
21 Section 1 and effective July 1, 2013 shall be separately  
22 accounted for by the department of transportation and shall  
23 be expended only for the costs of construction,

1 reconstruction, maintenance and repair of the state  
2 highways. The department shall provide a comprehensive  
3 report to the joint appropriations interim committee and  
4 the joint transportation, highways and military affairs  
5 interim committee on or before November 15 of each year,  
6 from the effective date of this act through November 15,  
7 2020.

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9 **39-17-311. Distribution.**

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11 (a) Except as otherwise provided in subsection (b) of  
12 this section, all alternative fuel license taxes and fees  
13 shall be distributed as follows:

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15 (iv) After certifying the amounts provided by  
16 paragraph (iii) of this subsection, the department shall  
17 certify the balance of taxes collected under this article  
18 to the state treasurer who shall distribute the remainder  
19 into the accounts within the state highway fund created  
20 under this subsection as follows:

21

22 (D) Fifty-seven and one-half percent  
23 (57.5%) to the state highway account. Of the funds

1 deposited to the state highway account under this  
2 paragraph, forty-one and seven-tenths percent (41.7%)  
3 shall be separately accounted for by the department of  
4 transportation and shall be expended only for the costs of  
5 construction, reconstruction, maintenance and repair of the  
6 state highways.

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8       **Section 2.** This act is effective July 1, 2016.

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(END)