

ORIGINAL HOUSE
BILL NO. HB0069

ENROLLED ACT NO. 24, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2021 GENERAL SESSION

AN ACT relating to banking and commerce; specifying how fees authorized by statute may be charged by the state banking commissioner; requiring a report; making conforming amendments; and providing for an effective date.

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

Section 1. W.S. 13-1-603(d) and by creating new subsections (e) and (f), 34-29-104(n), 40-14-632 by creating a new subsection (d), 40-14-634 by creating a new subsection (s), 40-14-642(f), 40-14-646 by creating a new subsection (c), 40-19-114 by creating a new subsection (k), 40-22-109, 40-22-111 by creating a new subsection (d), 40-22-114(c), 40-23-103(a) by creating a new paragraph (x) and 40-29-104 by creating a new subsection (m) are amended to read:

13-1-603. State banking commissioner; powers and duties.

(d) The commissioner shall establish any fee by rule and regulation if ~~this act~~ any provision of this title authorizes the fee to be established by rule and regulation of the commissioner. The fee shall be established in accordance with the Wyoming Administrative Procedure Act and shall be set in an amount to ensure that, to the extent practicable, the total amount generated from the fee approximates but does not exceed the direct and indirect costs incurred by the commissioner in carrying out his duties as a result of the submission or supervisory activity for which a fee is authorized.

(e) Not later than October 1 of each year, the commissioner shall submit a report to the joint minerals,

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business and economic development interim committee listing all fees collected in the immediately preceding fiscal year by the commissioner including those authorized or required pursuant to this title and any other provision of law. The report shall separately identify the amount collected for each fee collected.

(f) The commissioner may, after review and consideration of actual and projected revenues and expenditures in the current fiscal year, decrease the aggregate amount of an installment and bill a proportionately lower amount to each financial institution subject to an assessment.

34-29-104. Digital asset custodial services.

(n) To offset the costs of supervision and administration of this section, a bank which provides custodial services under this section shall pay a supervision fee equal to two-tenths of one mill on the dollar (\$.0002) relating to assets held in custody as provided by rule of the commissioner. The supervision fee shall be deposited by the commissioner into the financial institutions administration account and may be expended for any purpose authorized for that account. Fees charged and collected under this subsection shall be reported as required by W.S. 13-1-603(e).

40-14-632. Fees.

(d) Fees charged, paid and collected under this section shall be subject to the requirements of W.S. 13-1-603(d) through (f).

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40-14-634. License required; application; fee; conditions and execution; license nontransferable; display; renewal.

(s) Any fee charged and collected under this section shall be in accordance with W.S. 13-1-603(d) through (f).

40-14-642. Loan originator application; processing.

(f) Each application submitted under subsection (a) of this section shall be accompanied by an application fee not to exceed three hundred dollars (\$300.00), as established by rule of the administrator. When an application for licensure is denied or withdrawn, the administrator shall retain all fees paid by the applicant. Fees charged and collected under this section shall be in accordance with W.S. 13-1-603(d) through (f).

40-14-646. Standards for loan originator license renewal; rulemaking.

(c) Any fee charged and collected under this section shall be in accordance with W.S. 13-1-603(d) through (f).

40-19-114. License required; application for license; fee; qualifications.

(k) Any fee charged and collected under this section shall be in accordance with W.S. 13-1-603(d) through (f).

40-22-109. Application fee.

Each application shall be accompanied by a nonrefundable application fee not to exceed three thousand dollars (\$3,000.00) for each license applied for, as set by rule of

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the commissioner. Any fee charged and collected under this section shall be in accordance with W.S. 13-1-603(d) through (f).

40-22-111. Renewal of license and annual report.

(d) Any fee charged and collected under this section shall be in accordance with W.S. 13-1-603(d) through (f).

40-22-114. Changes in control of a licensee.

(c) The licensee shall reapply and submit the required fees established by rule, not to exceed three thousand dollars (\$3,000.00) for a new license upon a change in the control of the licensee as determined by the commissioner. The license is not transferable nor assignable to the new persons in control of the licensee. Any fee charged and collected under this section by the commissioner shall be in accordance with W.S. 13-1-603(d) through (f).

40-23-103. Powers and duties of commissioner.

(a) In addition to any other powers and duties imposed upon the commissioner by law, the commissioner shall:

(x) Establish fees authorized in this act in accordance with W.S. 13-1-603(d) through (f).

40-29-104. Financial technology sandbox application; standards for approval; consumer protection bond.

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(m) Any fee charged and collected under this section by the commissioner shall be in accordance with W.S. 13-1-603(d) through (f).

Section 2. This act is effective July 1, 2021.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk