

## HOUSE BILL NO. HB0262

Counties-limitations on holding reserves.

Sponsored by: Representative(s) Johnson, Andrew, Brown, G,  
Campbell, K, Lucas, Singh, Strock, Styvar  
and Wasserburger and Senator(s) McKeown,  
Pearson and Smith, D

A BILL

for

1 AN ACT relating to counties; establishing a limit on the  
2 amount of reserves that counties may maintain; providing  
3 for the calculation of reserve amounts; requiring the  
4 refund of reserves in excess of the limitation amount as  
5 specified; providing definitions; requiring reporting; and  
6 providing for an effective date.

7

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

9

10 **Section 1.** W.S. 18-4-109 is created to read:

11

12 **18-4-109. County reserves; limitations; refund of**  
13 **excess reserves.**

14

1 (a) As used in this section:

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3 (i) "Annual spending amount" means the average  
4 amount of total expenditures for the county in each of the  
5 immediately preceding five (5) fiscal years, excluding  
6 amounts collected through any specific purpose tax that is  
7 approved by the voters of the county;

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9 (ii) "Excess funds" means any funds held by the  
10 county in excess of the annual spending amount.

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12 (b) Beginning July 1, 2025, no county shall hold  
13 excess funds that exceed the county's annual spending  
14 amount.

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16 (c) Not later than July 1, 2025 and each July 1  
17 thereafter, each county shall:

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19 (i) Calculate the county's annual spending  
20 amount and estimate whether any excess funds will be  
21 available at the end of the fiscal year;

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1           (ii) Report to the department of revenue on the  
2 amount calculated under paragraph (i) of this subsection  
3 and the estimate of excess funds that will be available at  
4 the end of the fiscal year.

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6           (d) Each county with excess funds on July 1, 2025 and  
7 each July 1 thereafter shall:

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9           (i) Report the amount of excess funds to the  
10 department of revenue and the board of county  
11 commissioners;

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13           (ii) Provide notice to residents in accordance  
14 with subsection (e) of this section;

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16           (iii) Refund the excess funds to residents of  
17 the county in accordance with subsection (f) of this  
18 section.

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20           (e) Not later than July 15, 2025 and each July 15  
21 thereafter, each county with excess funds shall provide  
22 notice to persons entitled to receive a refund under this  
23 section.

1

2 (f) Not later than August 15, 2025 and each August 15  
3 thereafter, each county shall refund or provide for the  
4 refund of excess funds to owners of record of property in  
5 the county who have been residents of the county for not  
6 less than one (1) year preceding the refund. For purposes  
7 of this subsection, residency shall be determined in  
8 accordance with the rules provided by W.S. 23-1-107. Excess  
9 funds shall be refunded on a pro rata basis.

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11 (g) For each county that does not refund excess funds  
12 in accordance with this section by the date specified in  
13 subsection (f) of this section, the state treasurer shall  
14 withhold from any payment due to a county under W.S.  
15 39-15-111(b) and 39-16-111(b) an amount equal to two (2)  
16 times the amount of excess funds that the county had on  
17 July 1 of the applicable year. The withheld amount shall  
18 be:

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20 (i) Deposited and held in the legislative  
21 stabilization reserve account until the date specified in  
22 paragraph (ii) of this section;

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