

SENATE FILE NO. SF0030

Highway patrol, game warden and investigator retirement.

Sponsored by: Joint Appropriations Interim Committee

A BILL

for

1 AN ACT relating to the Wyoming State Highway Patrol, Game
 2 and Fish Warden and Criminal Investigator Retirement Act;
 3 raising the employee and employer contributions required
 4 under the act; repealing obsolete and inconsistent
 5 language; providing appropriations; and providing for an
 6 effective date.

7

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

9

10 **Section 1.** W.S. 9-3-604(a), (b), (c)(i) and (ii) and
 11 9-3-605 are amended to read:

12

13 **9-3-604. Employee contributions.**

14

15 (a) Except as otherwise provided in this section,
 16 every employee covered by this article shall pay into the
 17 fund ~~eleven and two one hundredths percent (11.02%)~~ twelve

1 and sixty-four hundredths percent (12.64%) of his salary.
2 To the extent not paid by an employer on behalf of the
3 member, this payment shall be deducted each pay period from
4 employees' salaries by the respective chief fiscal officers
5 of the employers.

6
7 (b) ~~From and after July 1, 1983~~ The contributions
8 required by subsection (a) of this section shall be paid by
9 the employer for employees covered under this article in
10 order to be treated as employer contributions for the sole
11 purpose of determining tax treatment under the United
12 States internal revenue code.

13
14 (c) The contributions under subsection (b) of this
15 section shall be paid from the source of funds which is
16 used in paying salary to the employee. The employer may pay
17 these contributions by a reduction in cash salary of the
18 employee or by an offset against a future salary increase,
19 or by a combination of a reduction in salary and an offset
20 against a future salary increase, provided:

21
22 (i) No such salary reduction or offset, or
23 combination thereof, shall exceed the percentage amount
24 actually being deducted from an employee's salary for

1 contributions to the retirement program; ~~as of July 1,~~
2 ~~1983,~~ and

3

4 (ii) Except as otherwise provided in this
5 paragraph, any employer may pay any amount of an employee's
6 share of retirement contributions without a salary
7 reduction or offset, or combination thereof. On and after
8 July 1, 2012, at least one and sixty-two hundredths percent
9 (1.62%) of the employee's share of retirement contributions
10 shall be paid through a reduction in cash salary of the
11 employee unless specified otherwise by legislative act.

12

13 **9-3-605. Employer contributions.**

14

15 Each employer subject to this article shall pay into the
16 fund a contribution equal to ~~eleven and thirty three one~~
17 ~~hundredths percent (11.33%)~~ twelve and ninety-six
18 hundredths percent (12.96%) of all salaries paid to its
19 employees. ~~and may pay into the fund any amount of the~~
20 ~~employees' share of retirement contributions.~~ These
21 contributions, together with the employees' contributions,
22 ~~if any,~~ shall be transferred and credited to the retirement
23 program in a manner the board directs.

24

1 **Section 2.**

2

3 (a) There is appropriated the following for the period
4 specified in subsection (b) of this section:

5

6 (i) From the general fund to the office of the
7 attorney general one hundred twenty-one thousand dollars
8 (\$121,000.00);

9

10 (ii) From the game and fish fund to the game and
11 fish commission one hundred ninety-three thousand dollars
12 (\$193,000.00);

13

14 (iii) From the highway fund to the department of
15 transportation five hundred thirty-five thousand dollars
16 (\$535,000.00).

17

18 (b) The appropriations under subsection (a) of this
19 section shall only be expended for the purpose of providing
20 each state agency's increased employer contribution required
21 by W.S. 9-3-605 as amended by this act, for the 2013-2014
22 fiscal biennium.

23

24 (c) No part of these appropriations shall be used to
25 provide the increased employee contribution required by this
26 act. Notwithstanding any other provision of law, the
27 appropriations under this section shall not be transferred

1 or expended for any purpose other than as specified in this
2 section. Any unexpended, unobligated funds remaining from
3 the appropriations under this section shall revert as
4 provided by law on June 30, 2014.

5

6 **Section 3.** This act is effective July 1, 2012.

7

8

(END)