

SENATE FILE NO. SF0098

Federal emergency COVID-19 relief funding-limitations.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to the emergency expenses of government;  
2 limiting expenditure of COVID-19 relief funds; amending a  
3 sunset date for emergency programs; providing an  
4 appropriation; specifying applicability; and providing for  
5 an effective date.

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

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9       **Section 1.** 2021 Wyoming Session Laws, Chapter 166,  
10 Section 4(a)(vi), Section 5(a) and (b)(intro), Section 6(d)  
11 and Section 7 is amended to read:

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13       **Section 4.**

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16       (a) The legislature finds that:

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**Section 5.**

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(vi) In the event that for whatever reason, the legislature does not enact further legislation to appropriate federal funds from the American Rescue Plan Act or the CARES Act ~~by~~for the period beginning September 1, 2021 and ending March 26, 2022, the governor is authorized by the terms of this act to implement programs as specified to expend these funds.

1 legislature. Any emergency program created under  
2 the authority granted in this subsection shall  
3 expire on ~~December 31, 2024~~ March 26, 2022 unless  
4 expressly continued by act of the legislature.

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6 (b) Subject to the limitations provided in  
7 subsections (c) through (e) of this section, any  
8 federal funds provided to the state for COVID-19  
9 related purposes including from the American  
10 Rescue Plan Act, P.L. 117-2, the Coronavirus Aid,  
11 Relief and Economic Security (CARES) Act, P.L.  
12 116-136, or other similarly purposed federal act,  
13 that do not accrue to any agency under W.S.  
14 9-2-1006(a) and which are not appropriated within  
15 sections 4(a) through (c) of this act are  
16 appropriated to the office of the governor for  
17 the emergency expenses of government that are  
18 consistent with the terms of the federal gift,  
19 grant or appropriation and subject to the  
20 provisions of this subsection. This  
21 appropriation shall lapse on March 26, 2022. In  
22 accordance with W.S. 9-4-205(a), this  
23 appropriation of federal funds shall be subject

1 to further legislative review and appropriation.  
2 This appropriation shall only be expended for the  
3 following purposes:

4

5 **Section 6.**

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7 (d) To the extent not appropriated in  
8 subsections (a) through (c) of this section,  
9 there is appropriated all unexpended,  
10 unencumbered and unobligated funds received by  
11 the state of Wyoming to the state auditor from  
12 the American Rescue Plan Act of 2021, P.L. 117-2,  
13 the Coronavirus Aid, Relief and Economic Security  
14 (CARES) Act, P.L. 116-136 or other similarly  
15 purposed federal act, including funds originally  
16 appropriated in 2020 Wyoming Special Session  
17 Laws, Chapter 1, Section 2(b), Chapter 2, Section  
18 4(d) and Chapter 3, Sections 2(h), 3(h) and 4(g).  
19 Through March 26, 2022, the governor may transfer  
20 funds reappropriated under this section to the  
21 state agency or entity designated to approve the  
22 project, grant or procurements as provided in  
23 section 5 of this act. This appropriation shall

1 not be transferred or expended for any purpose  
2 except as provided in this subsection. Any  
3 unobligated, unexpended funds remaining from this  
4 appropriation upon the expiration of the later of  
5 the relevant federal law, related federal  
6 legislation, reallocation by the secretary of the  
7 United States department of treasury, or any  
8 extension granted by the United States department  
9 of treasury shall be deposited to the general  
10 fund unless otherwise provided by federal law.

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12 **Section 7.** Except as provided in this  
13 section, the governor at all times retains the  
14 authority to expend the federal funds in  
15 accordance with W.S. 9-2-1005(b)(ii) and (g),  
16 9-2-1006(a) and 9-4-206. After March 26, 2022,  
17 amounts authorized for expenditure by legislative  
18 appropriation of federal funds provided to the  
19 state from the American Rescue Plan Act, P.L.  
20 117-2, shall not be revised, changed,  
21 redistributed or increased by the governor except  
22 pursuant to legislative enactment.

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1           **Section 2.**

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3           (a) On March 27, 2022, there is appropriated from any  
4 unexpended, unobligated American Rescue Plan Act funds  
5 fifty million dollars (\$50,000,000.00) to the office of the  
6 governor for purposes of responding to the COVID-19 public  
7 health emergency and that are consistent with the terms of  
8 the American Rescue Plan Act.

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10           (b) Expenditures under this section shall be reported  
11 to the legislature through the B-11 process as authorized  
12 by W.S. 9-2-1005(b)(ii) and reported pursuant to W.S.  
13 9-2-1013(b).

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15           (c) As used in this section, "American Rescue Plan Act  
16 funds" means funds appropriated or disbursed to the state  
17 of Wyoming under title VI of the federal Social Security  
18 Act, as created by section 9901 of the American Rescue Plan  
19 Act of 2021, P.L. 117-2.

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21           **Section 3.** Nothing in this act shall modify or impair  
22 any existing contract or obligation of the state that is  
23 executed or incurred on or before March 26, 2022.

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2           **Section 4.** This act is effective immediately upon  
3 completion of all acts necessary for a bill to become law  
4 as provided by Article 4, Section 8 of the Wyoming  
5 Constitution.

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(END)