

SENATE FILE NO. SF0102

Federal funds distribution.

Sponsored by: Senator(s) Ross, Bebout and Nicholas, P.

A BILL

for

1 AN ACT relating to public funds; creating the federal funds
2 holding account; providing for deposits of federal funds to
3 the account as specified; providing for disbursement from
4 the account upon legislative appropriation; specifying
5 other limitations on the expenditure of federal funds;
6 making conforming amendments; and providing for an
7 effective date.

8

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

10

11 **Section 1.** W.S. 9-4-108 is created to read:

12

13 **9-4-108. Federal funds holding account.**

14

15 There is created the federal funds holding account. All
16 federal funds received by the state of Wyoming which are

1 not allocated to a specific program or account by state or
2 federal law shall be deposited in the federal funds holding
3 account. Additionally, notwithstanding W.S. 9-4-601,
4 deposits to the federal funds holding account shall include
5 the final year's payment of any congressionally sequestered
6 monies received by the state of Wyoming from the secretary
7 of the treasury of the United States under the provisions
8 of the act of congress of February 25, 1920 (41 Stat. 437,
9 450; 30 U.S.C. §§ 181, 191), as amended, or from lessees or
10 authorized mine operators and all monies received by the
11 state from its sale of production from federal mineral
12 leases subject to the act of congress of February 25, 1920
13 (41 Stat. 437, 450; 30 U.S.C. §§ 181, 191), as amended.
14 Funds in the account shall only be disbursed or expended
15 upon an appropriation of the legislature specifically
16 referencing an appropriation from the federal funds holding
17 account and shall not be appropriated or authorized for
18 disbursement or expenditure pursuant to any other statutory
19 mechanism providing for disbursement of federal funds.

20

21 **Section 2.** W.S. 9-2-1005(c) by creating new
22 paragraphs (iii) and (iv) and (g) is amended to read:

23

1 **9-2-1005. Payment of warrants; budget powers of**
2 **governor; agency budgets; federal funds; new employees.**

3
4 (c) The governor shall not:

5
6 (iii) Expend or authorize the expenditure of
7 funds from the federal funds holding account absent a
8 legislative appropriation specifically referencing an
9 appropriation of funds from that account;

10
11 (iv) Expend or authorize the expenditure of
12 federal funds in excess of amounts approved by any
13 legislative appropriations act except in accordance with
14 subsection (g) of this section.

15
16 (g) No federal funds in excess of amounts approved by
17 any legislative appropriations act may be accepted or
18 expended until approved by the governor in writing with a
19 copy to the joint appropriations interim committee. If the
20 governor disapproves the acceptance or expenditure of
21 federal funds under this subsection and the federal funds
22 are accepted or expended, the state auditor shall not draw
23 any warrant nor shall the state treasurer pay any warrant

1 which would result in the disbursement of funds, directly
2 or indirectly through contracts for services, to the public
3 or private entity involved. The authority under this
4 subsection to expend federal funds shall include only:

5
6 (i) The expenditure of funds allocated to a
7 specific program or account by state or federal law and for
8 which, or from which, the legislature has previously
9 appropriated funds in the fiscal biennium in which the
10 funds are accepted;

11
12 (ii) The expenditure of other federal funds if
13 the governor determines the receipt of the federal funds is
14 conditioned upon expenditure of those funds prior to the
15 convening of the next regular general session or budget
16 session of the legislature and the expenditure of those
17 federal funds does not create an obligation for the state
18 to expend additional funds. Funds authorized to be
19 expended pursuant to this paragraph shall be reported as
20 provided in this subsection and deposited to the federal
21 funds holding account. An amount not in excess of the
22 funds so deposited is appropriated for expenditure from
23 that account without further legislative action.

1

2 **Section 3.** This act is effective July 1, 2016.

3

4

(END)