

SENATE FILE NO. SF0106

Wyoming stable token act.

Sponsored by: Senator(s) Rothfuss and Nethercott and Representative(s) Olsen and Yin

A BILL

for

1 AN ACT relating to trade and commerce; authorizing the  
2 state treasurer to issue Wyoming stable tokens as  
3 specified; providing definitions; requiring rulemaking;  
4 requiring a report; providing limitations; and providing  
5 for effective dates.

6

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

8

9 **Section 1.** W.S. 40-31-101 through 40-31-108 are  
10 created to read:

11

CHAPTER 31

12

WYOMING STABLE TOKEN ACT

13

14

15 **40-31-101. Short title.**

1

2 This act shall be known and may be cited as the "Wyoming  
3 Stable token Act."

4

5 **40-31-102. Definitions.**

6

7 (a) As used in this act:

8

9 (i) "Committee" means the select committee on  
10 capital financing and investments of the Wyoming  
11 legislature;

12

13 (ii) "Financial institution" means any entity  
14 approved by the treasurer to act as a manager or otherwise  
15 to manage, operate and maintain Wyoming stable tokens;

16

17 (iii) "Treasurer" means the office of the state  
18 treasurer;

19

20 (iv) "Token holder" means a person who lawfully  
21 owns one (1) or more Wyoming stable tokens;

22

1           (v) "Wyoming stable token" means the virtual  
2 currency issued by the treasurer pursuant to this act;

3

4           (vi) "Virtual currency" means as defined in W.S.  
5 34-29-101(a)(iv);

6

7           (vii) "This act" means W.S. 40-31-101 through  
8 40-31-109.

9

10           **40-31-103. Wyoming stable token authorized; value.**

11

12           (a) The treasurer is authorized to issue Wyoming  
13 stable tokens as provided for in this act.

14

15           (b) A Wyoming stable token is a virtual currency  
16 representative of and redeemable for a United States dollar  
17 held in trust by the state of Wyoming as provided by W.S.  
18 40-31-106.

19

20           **40-31-104. Duties of the treasurer.**

21

22           (a) This act shall be administered through the office  
23 of the state treasurer in accordance with this act and in

1 consultation with the investment funds committee  
2 established in W.S. 9-4-720.

3

4 (b) The treasurer shall adopt rules and regulations  
5 as necessary to administer this act and to ensure  
6 compliance with state and federal law.

7

8 (c) The treasurer:

9

10 (i) In consultation with the investment funds  
11 committee, may issue Wyoming stable tokens as provided in  
12 this act, and provide for matters related to issuance  
13 including the amount of Wyoming stable tokens to be issued,  
14 the means used to issue, maintain and manage the Wyoming  
15 stable tokens and the manner of and requirements for  
16 redemption;

17

18 (ii) May retain professional services, if  
19 necessary, including accountants, auditors, consultants and  
20 other experts;

21

22 (iii) Shall maintain, invest and reinvest the  
23 funds received for issuing Wyoming stable tokens and any

1 earnings from those investments in accordance with  
2 investment policies established by the treasurer and  
3 consistent with this act;

4

5 (iv) May make and enter into any and all  
6 contracts, agreements or arrangements and retain, employ  
7 and contract for the services of financial institutions and  
8 research, technical and other services as necessary to  
9 implement this act;

10

11 (v) May seek rulings and other guidance from the  
12 United States department of the treasury, the internal  
13 revenue service and the United States securities and  
14 exchange commission relating to this act;

15

16 (vi) May select the financial institution or  
17 financial institutions to manage the Wyoming stable tokens;

18

19 (vii) Shall report annually to the committee  
20 regarding the implementation, operation and performance of  
21 the Wyoming stable tokens and the Wyoming stable token  
22 account.

23

1           **40-31-105. Wyoming stable token account.**

2

3           (a) The Wyoming stable token account is created. The  
4 state treasurer shall deposit all funds received through  
5 the issuance of a Wyoming stable token in the account.  
6 Funds within the account, including all funds deposited to  
7 the account from any source are intended to be inviolate  
8 and constitute a permanent or perpetual trust fund held on  
9 behalf of token holders except that funds in the account  
10 shall be available to satisfy the financial demands of  
11 token holders and to satisfy the other obligations placed  
12 on the account in this section. The state treasurer shall  
13 invest funds within the account exclusively in United  
14 States treasury bills.

15

16           (b) Not less than one hundred percent (100%) of the  
17 notional value of all outstanding issued Wyoming stable  
18 tokens shall be maintained in the Wyoming stable token  
19 account. All earnings paid on funds and investments in the  
20 account shall be deposited in the account. Account funds in  
21 excess of one hundred and two percent (102%) of the  
22 notional value of all outstanding issued Wyoming stable  
23 tokens shall be expended to pay for the operational costs

1 of this act with any remainder being distributed evenly, on  
2 an annual basis within ninety (90) days after the end of  
3 the fiscal year, between the common school account within  
4 the permanent land fund and the permanent Wyoming mineral  
5 trust fund.

6

7 **40-31-106. Redemption.**

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9 The Wyoming stable token shall be redeemable for United  
10 States dollar upon demand to the treasurer as set forth by  
11 rule and regulation of the treasurer. The value of the  
12 Wyoming stable token upon redemption shall be one (1)  
13 United States dollar for each one (1) Wyoming stable token  
14 unless the interest rate of United States treasury bills at  
15 the time of redemption are negative or the total assets  
16 divided by the number of outstanding Wyoming stable tokens  
17 is less than one (1) dollar, in which case the value of the  
18 Wyoming stable token upon redemption shall be the  
19 liquidated value of the United States treasury bill as  
20 determined by rule of the state treasurer. In no case shall  
21 the redemption result in the state paying a higher amount  
22 than the total assets divided by the number of outstanding  
23 Wyoming stable tokens.

1

2           **40-30-107. Limitations.**

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4 Under rules adopted by the treasurer, every contract,  
5 application or other similar document that may be used in  
6 connection with the purchase of Wyoming stable tokens shall  
7 clearly indicate that the Wyoming stable token is not  
8 insured by this state and the principal deposited is not  
9 guaranteed by the state beyond the value of the Wyoming  
10 stable token account.

11

12           **40-30-108. Limitations on liability.**

13

14           (a) The state shall not be liable to any person for  
15 any amount beyond the notional value of the fund maintained  
16 in the Wyoming stable token account. Any Wyoming stable  
17 tokens issued under this act are payable and collectable  
18 solely out of the Wyoming stable token account. Token  
19 holders may not look to any general or other fund for  
20 redemption of any Wyoming stable tokens. The Wyoming stable  
21 tokens shall not constitute any indebtedness or a debt  
22 within the meaning of any constitutional or statutory  
23 provision or limitation. The tokens shall not be considered



1 or held to be general obligations of the state but shall  
2 constitute special obligations of the state and the  
3 treasurer shall not pledge the state's full faith and  
4 credit for redemption of any Wyoming stable token.

5

6 (b) The treasurer and officials and employees of the  
7 treasurer are entitled to immunity from liability, defense  
8 and indemnification under the Wyoming Governmental Claims  
9 Act.

10

11 **Section 2.** W.S. 9-1-409(a) by creating a new  
12 paragraph (vi) and 9-4-720(f) by creating a new paragraph  
13 (vi) are amended to read:

14

15 **9-1-409. State treasurer; duties generally; demand**  
16 **accounts; state revenues paid to treasurer.**

17

18 (a) The state treasurer shall:

19

20 (vi) Perform all duties required under the  
21 Wyoming stable token act.

22

23 **9-4-720. Investment funds committee created; duties.**

1

2 (f) The committee shall:

3

4 (vi) Monitor investments in the Wyoming stable  
5 token account and consult with the state treasurer  
6 regarding the issuance and management of Wyoming stable  
7 tokens.

8

9 **Section 3.**

10

11 (a) Except as provided in subsection (b) of this  
12 section, the state treasurer shall issue a Wyoming stable  
13 token not later than December 31, 2022.

14

15 (b) If the state treasurer determines that issuing a  
16 Wyoming stable token is not feasible by December 31, 2022  
17 due to incompatible federal or state law, the state  
18 treasurer shall not issue a Wyoming stable token, but shall  
19 provide a report not later than November 1, 2022 to the  
20 select committee on capital financing and investments  
21 stating the reasons for not issuing a Wyoming stable token  
22 and providing recommendations that would allow for issuance  
23 in the future.

