

WORKING DRAFT

HOUSE BILL NO. _____

Fire protection districts-mill levy.

Sponsored by: Joint Corporations, Elections and Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to fire protection districts; providing for
2 additional mill levies; providing for an election; and
3 providing for an effective date.

4

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

6

7 **Section 1.** W.S. 35-9-212 through 35-9-213 are created
8 to read:

9

10 **35-9-212. Additional mill levy; authority of board to**
11 **submit questions to electors; restriction on amount;**
12 **purpose.**

13

14 The board of directors of a fire protection district is
15 authorized, whenever a majority thereof so decide, to

1 submit to the electors of the district the question whether
2 the board shall be authorized to levy up to an additional
3 two (2) mills for operation of the district on each dollar
4 of assessed valuation of the property within the district.

5

6 **35-9-213. Additional mill levy; conduct of election;**
7 **vote of electors required.**

8

9 (a) No tax shall be imposed under W.S. 35-9-212 until
10 the proposition to impose the tax is submitted to the
11 voters of the district and a majority of those casting
12 their ballots vote in favor of imposing the tax. Any tax
13 imposed under this section shall be levied in the year
14 following the election at which the imposition of the tax
15 is approved.

16

17 (b) The proposition to impose a tax under this
18 section shall be at the expense of the district and may be
19 submitted to the voters of the district upon the receipt by
20 the board of county commissioners of a petition requesting
21 the election signed by the board of directors of the
22 district. The election shall be at the direction and under
23 the supervision of the board of county commissioners.

24

1 (c) Subject to the limitation of subsection (b) of
2 this section, the proposition to impose a tax under this
3 section shall be submitted on an election date authorized
4 under W.S. 22-21-103, or by mail ballot pursuant to W.S.
5 22-29-115 and 22-29-116. A notice of election shall be
6 given by the county clerk in at least one (1) newspaper of
7 general circulation published in the county wherein the
8 election is to be held and shall specify the object of the
9 election. The notice shall be published at least once each
10 week for a thirty (30) day period preceding the election.
11 At the election the ballots shall contain the words "for
12 the additional fire protection district tax" and "against
13 the additional fire protection district tax". Upon the
14 initial submission of the additional fire protection
15 district tax, or any renewal thereof, after July 1, 2008,
16 the fire protection district board of directors shall
17 choose one (1) of the following options and the words of
18 the chosen option shall be clearly printed in the
19 appropriate area on the election ballot:

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21 (i) If this proposition is approved, the same
22 proposition shall be submitted at the second following
23 general election or by mail ballot pursuant to W.S. 22-29-
24 115 and 22-29-116, and thereafter at succeeding general

1 elections or by mail ballot pursuant to W.S. 22-29-115 and
2 22-29-116, every four (4) years until the proposition is
3 defeated; or

4
5 (ii) If this proposition is approved, the tax shall
6 remain in effect until a petition to discontinue the tax,
7 signed by not less than ten percent (10%) of the voters of
8 the district, is received by the board of county
9 commissioners, and the proposal to discontinue the tax is
10 approved by the voters. The proposal to discontinue the
11 tax shall be submitted to the voters of the district at the
12 expense of the district at the next general election or by
13 mail ballot pursuant to W.S. 22-29-115 and 22-29-116 for
14 approval or disapproval.

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16 **Section 2.** W.S. 35-9-203(b) and 39-13-104(e) (iv) are
17 amended to read:

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19 **35-9-203. Powers and duties of board of directors**
20 **generally; administration of finances; assessment and levy**
21 **of taxes.**

22

23 (b) The board of county commissioners, at the time of
24 making the levy for county purposes shall levy a tax for

1 the year upon the taxable property in such district in its
2 county for its proportionate share based on assessed
3 valuation of the estimated amounts of funds needed by each
4 district. In no case shall the tax for each district exceed
5 in any one (1) year the amount of three (3) mills for
6 operation on each dollar of assessed valuation of such
7 property, unless additional mills are approved by the board
8 of and the electors of the district as provided in W.S. 35-
9 9-212 and 35-9-213. There shall be no limit on the
10 assessment for payment of principal and interest on bonds
11 approved by the board of and the electors of the districts
12 as provided in W.S. 35-9-204. The taxes and assessments of
13 all fire protection districts shall be collected by the
14 county collector at the same time and in the same manner as
15 state and county taxes are collected. The assessment and
16 tax levied under the provisions of W.S. 35-9-201 through
17 ~~35-9-209~~ 35-9-213 shall not be construed as being a part of
18 the general county mill levy.

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20 **39-13-104. Taxation rate.**

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22 (e) There shall be annually levied and assessed upon
23 the taxable value of property within the limits of the

1 following special districts the following special district
2 taxes when applicable:

3
4 (iv) Not to exceed three (3) mills, or up to
5 five (5) mills if the additional mills are approved by the
6 board of and the electors of the district as provided in
7 W.S. 35-9-212 and 35-9-213, by a fire protection district
8 as provided by W.S. 35-9-203(b) plus the number of mills
9 necessary for the payment of the district debt plus
10 interest thereon not to exceed the limitations prescribed
11 by W.S. 35-9-204;

12

13 **Section 3.** This act is effective July 1, 2007.

14

15

(END)