

HOUSE BILL NO. HB0128

Wyoming workforce housing infrastructure program.

Sponsored by: Representative(s) Lockhart, Brown, Hammons,
Luthi and Martin and Senator(s) Barrasso,
Cooper, Peck and Vasey

A BILL

for

1 AN ACT relating to economic development; establishing a
2 program to provide funding for cities, towns, counties and
3 joint powers boards for workforce housing infrastructure;
4 establishing an account; providing for administration of
5 the program and account; authorizing cooperative
6 agreements; providing rulemaking authority; requiring a
7 report; providing a sunset date; providing for a continuous
8 appropriation and making other appropriations; and
9 providing for an effective date.

10

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

12

13 **Section 1.** W.S. 9-12-901 through 9-12-905 are created
14 to read:

15

16

ARTICLE 9

1 WORKFORCE HOUSING INFRASTRUCTURE PROGRAM

2
3 **9-12-901. Definitions.**

4
5 (a) As used in this article:

6
7 (i) "Administrator" means the person providing
8 professional services under contract with the state
9 treasurer to administer the program under this article;

10
11 (ii) "Workforce housing infrastructure" means
12 infrastructure to a housing subdivision or development, and
13 through a housing subdivision or development only if
14 determined by the state treasurer to be consistent with the
15 purposes of this article.

16
17 **9-12-902. Wyoming workforce housing infrastructure**
18 **community program; agreements; purpose; creation;**
19 **rulemaking.**

20
21 (a) It is the purpose of this article to promote
22 development of infrastructure at the city, town and county
23 level to create additional housing affordable to Wyoming's
24 growing workforce and necessary for economic health and a

1 stronger state economy. The eligibility of workforce
2 housing infrastructure projects shall be determined on a
3 county by county basis utilizing current average cost of
4 housing data accumulated by each county assessor to
5 determine affordability of home ownership and rental
6 housing.

7

8 (b) The program created under this article shall be
9 administered by the state treasurer.

10

11 (c) The state treasurer shall establish a Wyoming
12 workforce housing infrastructure program and shall contract
13 necessary professional services to administer the program.
14 A city, town or county may submit an application to the
15 state treasurer or administrator for a loan or grant under
16 the program on forms prescribed by and subject to rules
17 promulgated by the state treasurer. Any joint powers board
18 may apply upon the approval of all participating agencies
19 to the joint powers agreement.

20

21 (d) Eligible workforce housing infrastructure
22 projects shall include, without limitation:

23

24 (i) Rights of way;

1

2 (ii) Sewer and water distribution projects;

3

4 (iii) Storm water control and drainage
5 facilities;

6

7 (iv) Streets, roads and bridges;

8

9 (v) Curbs, gutters and sidewalks;

10

11 (vi) Lift stations;

12

13 (vii) Traffic signals;

14

15 (viii) Parks;

16

17 (ix) Street lighting;

18

19 (x) Public space improvements;

20

21 (xi) Landscaping;

22

1 (xii) Payment for the additional costs of over-
2 sizing water and sewer distribution lines through or to a
3 subdivision to accommodate future expansion;

4
5 (xiii) Other infrastructure determined by the
6 state treasurer or administrator to be consistent with the
7 purposes of this article.

8
9 (e) Eligible workforce housing infrastructure
10 projects shall not include:

11
12 (i) Bringing public infrastructure to existing
13 housing which is supplied by a well or uses a septic
14 system;

15
16 (ii) Refinancing of existing projects that have
17 been financed previously with other resources;

18
19 (iii) Financing any project eligible under the
20 Wyoming water development program established by W.S.
21 41-2-112 through 41-2-124;

22
23 (iv) Financing any project that does not provide
24 for the construction of additional housing units or that

1 involves rehabilitation or expansion of existing
2 infrastructure unless the state treasurer or administrator
3 determines the rehabilitation or expansion is necessary to
4 meet the purposes of this article.

5

6 (f) In adopting rules and making funds available
7 under this article, the state treasurer or administrator
8 shall require all projects to be related to workforce
9 housing infrastructure development and restricted to the
10 purposes pursuant to subsection (d) of this section, by
11 land use restriction agreements or such other restrictions
12 as the state treasurer may deem appropriate.

13

14 (g) In adopting rules and making funds available
15 under this article, the state treasurer or administrator
16 shall provide a competitive application and scoring system
17 adequate to measure the benefits of each application. The
18 application scoring system shall target the projects based
19 on ranking criteria which addresses:

20

21 (i) The need for the proposed housing;

22

23 (ii) The affordability of the proposed housing;

24

1 (iii) The number of additional housing units to
2 be developed;

3

4 (iv) The cost of the proposed housing;

5

6 (v) The extent of involvement of the local
7 governmental entity;

8

9 (vi) The extent to which the project is part of
10 an overall community development plan;

11

12 (vii) The extent to which the project
13 demonstrates readiness;

14

15 (viii) Any other criteria determined by the
16 state treasurer to be consistent with the purposes of this
17 article.

18

19 (h) Funding for eligible workforce housing
20 infrastructure projects may be by grants or loans. Loans
21 shall be made upon forms specified by the state treasurer
22 and supported by any collateral required by the state
23 treasurer. The state treasurer or administrator shall
24 establish interest rates to be charged for loans under the

1 program. Interest rates shall be established in
2 recognition of the repayment abilities and needs of the
3 local governmental entity eligible for loans under the
4 program. The state treasurer or administrator shall
5 establish loan amortization schedules, terms and conditions
6 for each loan approved.

7
8 (j) Funding for eligible workforce housing
9 infrastructure projects shall be made available to an
10 applicant under this article, only if the applicant
11 demonstrates that upon receipt of the funds, all projected
12 project costs shall be funded. Funding for any one (1)
13 project may not exceed a maximum annual amount established
14 by rule of the state treasurer. Multi-year projects may be
15 awarded up to the maximum annual amount each year, for a
16 period not to exceed three (3) years, as approved by the
17 state treasurer or administrator. The application shall
18 identify the source of all funds to be used for the
19 project.

20
21 (k) Funding may be used to pay eligible project costs
22 in accordance with approved applications and rules of the
23 state treasurer.

24

1 (m) As a condition of any loan under this article,
2 the borrower shall agree to allow the state treasurer or
3 administrator to examine its books and records. The state
4 treasurer or administrator shall treat all proprietary
5 information received in the course of the examination or
6 audit as confidential.

7
8 **9-12-903. Criteria for grants and loans.**

9
10 (a) Grants, loans, loan commitments or any
11 combination thereof shall be made under this article only:

12
13 (i) If there are sufficient funds in the
14 workforce housing infrastructure account to fully fund it
15 and all other outstanding commitments and loans;

16
17 (ii) If loan funds provided by the state are
18 adequately collateralized. The adequacy of the collateral
19 shall be determined by the state treasurer.

20
21 (b) Grants shall be provided to projects as
22 determined by the state treasurer or administrator.

23

1 (c) The state treasurer or administrator shall
2 establish criteria for determining the maximum grant and
3 loan amounts and for determining grant, loan or grant and
4 loan combinations.

5

6 **9-12-904. Wyoming workforce housing infrastructure**
7 **program account.**

8

9 (a) There is created the workforce housing
10 infrastructure account to be administered by the state
11 treasurer's office.

12

13 (b) Interest and repayments of principal on loans
14 under this article shall be redeposited into the workforce
15 housing infrastructure account.

16

17 (c) Funds and accrued interest on unexpended funds
18 within the account shall be credited to the workforce
19 housing infrastructure account.

20

21 (d) Funds in the account are continuously
22 appropriated to the workforce housing infrastructure
23 account to be used only for loans or grants authorized to
24 be made under this article.

1

2 (e) The total principal balance of outstanding grants
3 and loans shall not exceed the amounts appropriated by the
4 legislature plus interest accrued and collected less any
5 losses of loan principal or interest.

6

7 **9-12-905. State treasurer duties; actions on loan and**
8 **grant applications.**

9

10 (a) All complete applications to participate in the
11 program established under this article, which conform with
12 the criteria established by law and rules promulgated under
13 this article, which are submitted to the state treasurer or
14 administrator shall be considered by the state treasurer or
15 administrator. The state treasurer or administrator shall
16 approve or disapprove each application he considers in
17 accordance with this article and rules promulgated by the
18 state treasurer.

19

20 (b) The state treasurer shall provide a written
21 status report no later than September 1 of each year to the
22 joint minerals, business and economic development interim
23 committee covering the activities under this article. The
24 report shall include:

1

2 (i) A summary of the total investments made by
3 the state treasurer, including:

4

5 (A) The name of each borrower and the
6 amount of each grant or loan;

7

8 (B) An evaluation of the grant or loan
9 success in providing workforce housing using appropriate
10 performance indicators as identified by the state
11 treasurer;

12

13 (C) The cost of the grant or loan program
14 to the people of Wyoming in terms of administrative and
15 other costs associated with the program.

16

17 (c) The state treasurer may charge applicants a fee
18 to cover any extraordinary administrative costs of the
19 program.

20

21 (d) The state treasurer shall adopt rules and
22 regulations as required to implement this article. The
23 rules and regulations shall be adopted and filed pursuant
24 to the Wyoming Administrative Procedure Act.

1

2 **Section 2.** W.S. 9-12-102(a)(viii) and 9-12-307 are
3 amended to read:

4

5 **9-12-102. Definitions.**

6

7 (a) As used in this act, the following terms have the
8 following meanings, except where the context clearly
9 indicates otherwise:

10

11 (viii) "This act" means W.S. 9-12-101 through
12 ~~9-12-804~~ 9-12-905.

13

14 **9-12-307. Penalty.**

15

16 Any person who knowingly makes a false statement to the
17 council or state treasurer in connection with an
18 application under this article or article 9 of this chapter
19 or who violates W.S. 9-12-302(c) is guilty of a felony
20 punishable by imprisonment for not more than two (2) years,
21 a fine of not more than two thousand dollars (\$2,000.00),
22 or both.

23

24 **Section 3.**

1

2 (a) There is appropriated from the budget reserve
3 account to the Wyoming workforce housing infrastructure
4 account created by W.S. 9-12-904, eighty million dollars
5 (\$80,000,000.00) as a pilot project program to meet the
6 purposes of this act. The program shall sunset June 30,
7 2009, and any uncommitted funds shall be returned to the
8 budget reserve account unless the program is extended by
9 the legislature.

10

11 (b) There is authorized one (1) part-time contract
12 position to the state treasurer for the purpose of
13 implementing this act. There is appropriated from the
14 general fund to the state treasurer seventy thousand
15 dollars (\$70,000.00) or as much thereof as is necessary to
16 fund this one (1) position.

17

18 **Section 4.** This act is effective July 1, 2006.

19

20

(END)