

SENATE FILE NO. SF0061

Revisor's bill.

Sponsored by: Management Council

A BILL

for

1 AN ACT relating to revision of inadvertent errors;
2 correcting statutory references and language resulting from
3 inadvertent errors and omissions in previously adopted
4 legislation; correcting obsolete references; repealing
5 fully executed provisions; specifying applicability; and
6 providing for an effective date.

7

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

9

10 **Section 1.** W.S. 3-1-106, 9-2-1010(a)(iii),
11 21-2-202(a)(xxxii) and (xxxiii), 21-2-204(d)(v),
12 39-15-303(b)(iv), 39-16-303(b)(iv), 40-14-210 and
13 40-23-102(a)(xiii) and (xiv) are amended to read:

14

15 **3-1-106. Provisions applicable to all fiduciaries**
16 **shall govern.**

17

1 The provisions of W.S. 2-3-101 through ~~2-3-614~~ 2-3-504 and
2 2-3-801 through 2-3-834 govern the appointment,
3 qualification, substitution, removal, oath and bond of a
4 guardian, limited guardian and conservator. A guardian or
5 limited guardian shall not be required to give bond unless
6 the court, for good cause, finds that the best interest of
7 the ward requires a bond. The court shall then fix the
8 terms and conditions of the guardian's bond.

9
10 **9-2-1010. Duties of budget division; biennial budgets**
11 **and appropriations.**

12
13 (a) The department through the budget division shall:

14
15 (iii) Consult with each entity which will
16 require a legislative appropriation either directly or
17 indirectly, excluding the Wyoming ~~highway~~ department of
18 transportation and the game and fish department except as
19 provided in W.S. 23-1-502(d), in submitting budget
20 estimates or requests for funds, or for instituting,
21 recording and reporting all financial and budget
22 transactions of the state.

23
24 **21-2-202. Duties of the state superintendent.**

1

2 (a) In addition to any other duties assigned by law,
3 the state superintendent shall:

4

5 (xxxii) By rule and regulation adopted not later
6 than July 1, 2011 establish requirements for school
7 district policies and training regarding the use of
8 seclusion and restraint in schools as required under W.S.

9 ~~21-3-110(a)(xxx)~~ 21-3-110(a)(xxxi). The state
10 superintendent shall review the policy of each district for
11 compliance with the requirements of W.S. 21-3-110(a)(xxx)
12 and rules and regulations promulgated pursuant to this
13 paragraph. If the state superintendent determines that the
14 policy is not in compliance under this paragraph the
15 superintendent shall direct the board of trustees to revise
16 the policy and shall, upon request, assist the board in the
17 adoption of the policy;

18

19 (xxxiii) To assist local school districts in
20 developing protocols under W.S. ~~21-3-110(a)(xxx)~~
21 21-3-110(a)(xxxii) and in sufficient time to enable school
22 districts to adopt and implement protocols commencing
23 school year 2011-2012, develop model protocols for
24 addressing risks associated with concussions and other head

1 injuries resulting from athletic injuries. No district
2 shall be required to adopt any part of the model protocols;

3

4 **21-2-204. Wyoming Accountability in Education Act;**
5 **statewide education accountability system created.**

6

7 (d) Beginning in school year 2012-2013, and each
8 school year thereafter, the department of education shall
9 compute and report an overall school performance rating
10 measured by student performance on those performance
11 indicators specified under subsection (c) of this section.
12 Any school through its school district may seek informal
13 review of any overall school performance rating or other
14 performance determination in accordance with the following:

15

16 (v) Not later than thirty (30) days after a
17 ~~determination~~decision has been issued by the panel under
18 paragraph ~~(i)~~(iv) of this subsection, the school district
19 may seek an informal review with the state board. The
20 state board shall make a final determination as to the
21 performance rating or other performance determination
22 within sixty (60) days after receipt of the request for
23 review;

24

1 **39-15-303. Imposition.**

2

3 (b) Taxpayer. The following shall apply:

4

5 (iv) Any nonresident prime contractor and any
6 resident prime contractor who hires a nonresident
7 subcontractor shall register any project with the
8 department of revenue not ~~less~~more than fifteen (15) days
9 following the start of a project pursuant to a contract.
10 The nonresident prime contractor shall provide a properly
11 executed bond as required by paragraph (iii) of this
12 subsection, or a cash deposit of not less than four percent
13 (4%) of the total payments due under the contract. The
14 cash deposit shall be refunded to the contractor upon the
15 department's receipt of a properly executed surety bond or
16 upon satisfactory completion of the project. Failure to
17 register with the department within the time period
18 required by this paragraph shall result in a penalty
19 assessment of one percent (1%) of the total payments due
20 under the contract.

21

22 **39-16-303. Imposition.**

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2 (iv) Any nonresident prime contractor and any
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8 executed bond as required by paragraph (iii) of this
9 subsection, or a cash deposit of not less than four percent
10 (4%) of the total payments due under the contract. The cash
11 deposit shall be refunded to the contractor upon the
12 department's receipt of a properly executed surety bond or
13 upon satisfactory completion of the project. Failure to
14 register with the department within the time period
15 required by this paragraph shall result in a penalty
16 assessment of one percent (1%) of the total payments due
17 under the contract.

18

19 **40-14-210. Definition of "cash price".**

20

21 "Cash price" means the price at which the creditor offers,
22 in the ordinary course of business, to sell for cash the
23 property or services which are the subject of a consumer
24 credit transaction. It may include the cash price of

1 accessories or services related to the sale such as
2 delivery, installation, alterations, modifications, and
3 improvements, and may include taxes to the extent imposed
4 on the cash sale, but shall not include any other charges
5 of the types described in section ~~226.4~~1026.4 of
6 regulation Z of the federal Consumer Credit Protection Act.

7
8 **40-23-102. Definitions.**

9
10 (a) As used in this act:

11
12 (xiii) "Regulation X" means regulation X as
13 promulgated by the ~~United States department of housing and~~
14 ~~urban development~~consumer financial protection bureau and
15 codified in ~~24 CFR part 3500~~12 CFR part 1024 et seq., as
16 amended;

17
18 (xiv) "Regulation Z" means regulation Z as
19 promulgated by the ~~board of governors of the federal~~
20 ~~reserve system~~consumer financial protection bureau and
21 codified in 12 CFR part ~~226~~1026 et seq., as amended;

