

## HOUSE BILL NO. HB0078

Education major maintenance funding.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to community college and school district  
2 funding; providing for quarterly distribution of major  
3 maintenance funding to community colleges and school  
4 districts; increasing the amount that may be spent on a  
5 capital construction project without legislative approval;  
6 increasing the percentage of unrestricted community college  
7 operating funds which may be carried forward to subsequent  
8 biennial periods; and providing for effective dates.

9

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

11

12 **Section 1.** W.S. 21-18-205(f) and (g) is amended to  
13 read:

14

15 **21-18-205. Appropriation and distribution of state**  
16 **funds; restrictions; budget authority.**

1

2 (f) Up to ~~eight percent (8%)~~ fifteen percent (15%) of  
3 each community college's unrestricted operating funds for a  
4 biennium may be carried forward into the next biennium by  
5 each community college. The cumulative total amount of  
6 unrestricted operating funds carried forward from previous  
7 bienniums shall never exceed ~~eight percent (8%)~~ fifteen  
8 percent (15%) of the community college's current biennium  
9 unrestricted operating funds. Funds carried forward in  
10 accordance with this subsection shall not lapse pursuant to  
11 W.S. 9-4-207.

12

13 (g) No state funds shall be used for the maintaining,  
14 operating or equipping of any capital construction project in  
15 excess of ~~one million dollars (\$1,000,000.00)~~ one million  
16 five hundred thousand dollars (\$1,500,000.00) which was not  
17 approved by the commission and authorized by the legislature.

18

19 **Section 2.** W.S. 21-15-109(b) and 21-18-225(k) are  
20 amended to read:

21

1           21-15-109. Major building and facility repair and  
2 replacement payments; computation; square footage allowance;  
3 use of payment funds; accounting and reporting requirements.  
4

5           (b) To the extent funds are available, ~~on July 1 of~~  
6 ~~each year,~~ the state construction department shall, based  
7 upon square footage computations computed from the prior  
8 school year, distribute ~~seventy five percent (75%) of~~ the  
9 estimated major building and facility repair and replacement  
10 payments in quarterly installments to each school district  
11 from the school capital construction account. ~~On or before~~  
12 ~~September 30 of each year the department shall distribute the~~  
13 ~~balance of payments to each school district. The department~~  
14 shall distribute the first quarterly payment on July 1 of  
15 each fiscal year, with the remaining payments distributed on  
16 October 1, January 2 and April 1. Payments shall be made as  
17 equal as reasonably possible. If funds within the account  
18 are not sufficient for ~~payments of any school year any~~  
19 quarterly payment, the department shall reduce all district  
20 payments for that quarter by a uniform percentage. The  
21 department shall also increase or reduce a subsequent school  
22 district payment, as appropriate, in the event a school  
23 district receives an excessive or deficient distribution.

1 Major building and facility repair and replacement payments  
2 shall be computed in accordance with subsection (c) of this  
3 section.

4

5 **21-18-225. College maintenance and capital**  
6 **construction funding.**

7

8 (k) Appropriations for major maintenance shall be  
9 distributed by the state construction department to community  
10 colleges in equal quarterly installments in amounts  
11 determined by the funding formula developed by the state  
12 building commission, subject to restrictions imposed on  
13 qualifying square footage pursuant to this section. The state  
14 construction department shall distribute the first quarterly  
15 payment on July 1 of each fiscal year, with the remaining  
16 payments distributed on October 1, January 2 and April 1.

17

18 **Section 3.**

19

20 (a) Except as otherwise provided in subsection (b) of  
21 this section, this act is effective July 1, 2020.

22

1           (b) Section 1 of this act is effective immediately upon  
2 completion of all acts necessary for a bill to become law as  
3 provided by Article 4, Section 8 of the Wyoming Constitution.

4

5

(END)