

HOUSE BILL NO. HB0056

Examination of books of certain districts and entities.

Sponsored by: Management Audit Committee

A BILL

for

1 AN ACT relating to the department of audit examination of
2 books of special districts and certain specified entities;
3 clarifying audit and reporting requirements for special
4 districts and other specified entities; clarifying the
5 dissolution process for non-compliance; clarifying
6 recreation boards of trustees; and providing for an
7 effective date.

8

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

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11 **Section 1.** W.S. 9-1-507(a)(iii)(intro), (v)(intro),
12 (vii) and (j)(ii), 16-12-202(a)(xii) and 35-28-101(a)(vi)
13 are amended to read:

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1 **9-1-507. Examination of books of state institutions,**
2 **agencies and certain districts and entities; independent**
3 **audit authorized; guidelines.**

4

5 (a) The director of the state department of audit
6 shall:

7

8 (iii) Require state institutions, state
9 agencies, the entities described in W.S. 16-4-125(c),
10 special districts and other entities specified in W.S.
11 16-12-202(a) and incorporated cities and towns with a
12 population of less than four thousand (4,000) inhabitants
13 to file with the department such reports of the books and
14 accounts of the institution, agency, district or entity as
15 the director deems necessary. The director shall promulgate
16 rules under which special districts and entities described
17 in W.S. 16-4-125(c) or other entities specified in W.S.
18 16-12-202(a) shall prepare and file an annual report of
19 their books and records with the department of audit. These
20 rules shall apply to special districts which are subject to
21 administration by the courts as provided in subsection (e)
22 of this section. These rules shall provide for different
23 levels of oversight, at the expense of the district,

1 depending upon the higher of the total revenues received or
2 expenditures made by the district during the fiscal year
3 under review subject to the following limitations:

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5 (v) Perform an audit or specified procedures of
6 any books and records of any state institution, state
7 agency, incorporated city or town with a population of less
8 than four thousand (4,000) inhabitants or any special
9 district or entity described in W.S. 16-4-125(c) or other
10 entities specified in W.S. 16-12-202(a) whenever the
11 director feels the audit or procedures are necessary. In
12 lieu of performing such audit or procedures, the director
13 may accept an audit or specified procedures performed by a
14 certified public accountant. Specified procedures shall
15 include procedures conducted under one (1) of the following
16 standards:

17

18 (vii) Require ~~each county, city and town,~~
19 ~~special district and joint powers board~~ counties, cities,
20 towns and special districts and entities described in W.S.
21 16-4-125(c) or other entities specified in W.S.
22 16-12-202(a) in this state to report to the department
23 revenues received and expenditures made each fiscal year.

1 The reports shall be made not later than September 30 for
2 the prior fiscal year. The format of the reports required
3 by this paragraph shall be established by the department of
4 audit by rule. Not later than December 31 of each year, the
5 department shall provide a copy of the report on special
6 districts and entities that receive funding from a
7 municipality as described in W.S. 16-4-125(c) or other
8 entities specified in W.S. 16-12-202(a) under this
9 paragraph to the board of county commissioners for each
10 special district and other entity located in that county;

11

12 (j) The director of the department of audit shall
13 certify:

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15 (ii) To the board of county commissioners and to
16 the special district or entity that receives funding from a
17 municipality as described in W.S. 16-4-125(c) or other
18 entities specified in W.S. 16-12-202(a) by October 5 of
19 each year any special district or other entity in the
20 county, no matter how formed, ~~which has that~~ failed to
21 comply with paragraph (a)(vii) of this section. If, by
22 November 30 of that same year, the district or other entity
23 has failed to comply with paragraph (a)(vii) of this

1 section, the director of the department of audit shall file
2 notice with the county commissioners, the county treasurer
3 and the county clerk. The county commissioners shall place
4 a public notice in a newspaper of general circulation in
5 the county indicating the special district or other entity
6 is in danger of being dissolved due to failure to comply
7 with the legal reporting requirements. The county
8 commissioners shall assess the special district or other
9 entity the cost of the public notice. The county treasurer
10 shall withhold any further distribution of money to the
11 district until the department certifies to the county
12 treasurer that the district or other entity has complied
13 with all reporting requirements. If the special district
14 or other entity fails to file the required report on or
15 before December 30 of that same year, the county
16 commissioners shall seek to dissolve the special district
17 or other entity in accordance with W.S. 22-29-401 et seq.
18 This paragraph shall apply in addition to any other
19 provision for dissolution in the principal act for a
20 special district or other entity.

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22 16-12-202. Applicability to special districts and
23 other specified entities; general provisions.

1

2 (a) This chapter applies to the following entities
3 unless otherwise specified:

4

5 (xii) Recreation ~~districts~~ boards of trustees
6 appointed pursuant to W.S. 18-9-201;

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8 **35-28-101. Definitions.**

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10 (a) As used in this act:

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12 (vi) "Person" means municipalities, recreation
13 ~~districts~~ boards of trustees, counties, state agencies,
14 individuals, corporations, partnerships, enterprises or
15 associations;

16

17 **Section 2.** This act is effective July 1, 2022.

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19 (END)