

SENATE FILE NO. SF0038

Financial reporting amendments-2.

Sponsored by: Management Audit Committee

A BILL

for

1 AN ACT relating to financial reporting to the department of
2 audit; amending enforcement of financial reporting
3 requirements through limiting disbursement of certain tax
4 revenues; clarifying good cause for extending reporting
5 deadline; and providing for an effective date.

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

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9 **Section 1.** W.S. 9-1-507(j) by creating a new
10 paragraph (ii) and by amending and renumbering (ii) as (iv)
11 and 9-1-510(b) are amended to read:

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13 **9-1-507. Examination of books of state institutions,**
14 **agencies and certain districts and entities; independent**
15 **audit authorized; guidelines.**

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1 (j) The director of the department of audit shall
2 certify:

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4 (ii) To the director of the state department of
5 revenue by October 5 of each year, a list of counties,
6 cities and towns that failed to comply with paragraph
7 (a)(vii) of this section. Notwithstanding any other
8 provision of law, the director of the department of revenue
9 shall withhold monthly disbursements of state and local
10 sales, use and lodging tax revenues under W.S. 39-15-111,
11 39-15-211, 39-16-111 and 39-16-211 to the noncompliant
12 county, city or town for the period after October 15 until
13 the noncompliant county, city or town has come into
14 compliance unless good cause for noncompliance is shown to
15 the director of the department of audit as described in
16 W.S. 9-1-510(b). All withheld disbursements under this
17 paragraph shall be retained by director of the department
18 of revenue in the account from which the disbursement would
19 be made until the county, city or town is in compliance
20 with paragraph (a)(vii) of this section, or as otherwise
21 provided by law. The director of the department of audit
22 shall certify to the director of the department of revenue
23 when a county, city or town comes into compliance with

1 paragraph (a)(vii) of this section. The director of the
2 department of revenue shall certify monthly to the
3 department of audit, the legislature and the noncompliant
4 county, city or town the amount of disbursements withheld
5 until the noncompliant county, city or town has come into
6 compliance.

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8 ~~(ii)~~(iv) To the board of county commissioners
9 and to the special district or entity described in W.S.
10 16-4-125(c) that receives funding from a municipality as
11 defined by W.S. 16-4-102(a)(xiv) or other entities
12 specified in W.S. 16-12-202(a) by October 5 of each year
13 any special district or other entity in the county, no
14 matter how formed, that failed to comply with paragraph
15 (a)(vii) of this section. If, by November 30 of that same
16 year, the district or other entity has failed to comply
17 with paragraph (a)(vii) of this section, the director of
18 the department of audit shall file notice with the county
19 commissioners, the county treasurer and the county clerk.
20 The county commissioners shall place a public notice in a
21 newspaper of general circulation in the county indicating
22 the special district or other entity is in danger of being
23 dissolved due to failure to comply with the legal reporting

1 requirements. The county commissioners shall assess the
2 special district or other entity the cost of the public
3 notice. Notwithstanding any other provision of law, the
4 county treasurer shall withhold any further ~~distribution~~
5 disbursements of money to the district or other entity
6 until the department certifies to the county treasurer that
7 the district or other entity has complied with all
8 reporting requirements unless good cause for noncompliance
9 is shown to the director of the department of audit as
10 described in W.S. 9-1-510(b). If the special district or
11 other entity fails to file the required report on or before
12 December 30 of that same year, the county commissioners
13 shall seek to dissolve the special district or other entity
14 in accordance with the process described by W.S. 22-29-401
15 et seq. This paragraph shall apply in addition to any other
16 provision for dissolution in the principal act for a
17 special district or other entity. ‡ The county treasurer
18 shall certify monthly to the department of audit, the
19 legislature and the noncompliant district or entity the
20 amount of disbursements withheld until the noncompliant
21 district or entity has come into compliance.

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