

SENATE FILE NO. SF0067

Public employee retirement plan-contributions.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to public employee retirement; increasing
2 the employer and employee contributions for the public
3 employee retirement plan; specifying how increased employee
4 contributions shall be paid; removing obsolete language;
5 providing appropriations; and providing for an effective
6 date.

7

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

9

10 **Section 1.** W.S. 9-3-412(a) and 9-3-413 are amended to
11 read:

12

13 **9-3-412. Members' contributions; payroll deductions;**
14 **employer authorized to pay employee's share.**

15

1 (a) Except as otherwise provided in this section and
2 W.S. 9-3-431 and 9-3-432, every member covered under this
3 article, shall pay into the account ~~eight and one-half~~
4 ~~percent (8.5%) of his salary for the period from September~~
5 ~~1, 2018 through June 30, 2019, eight and three-quarters~~
6 ~~percent (8.75%) of his salary for the period from July 1,~~
7 ~~2019 through June 30, 2020, nine percent (9%) of his salary~~
8 ~~for the period from July 1, 2020 through June 30, 2021 and~~
9 ~~thereafter~~ nine and one-quarter percent (9.25%) of his
10 salary for the period from July 1, 2021 through June 30,
11 2024, nine and one-half percent (9.50%) of his salary for
12 the period from July 1, 2024 through June 30, 2025 and
13 thereafter nine and three-quarters percent (9.75%) of his
14 salary. Every firefighter member covered under this article
15 shall pay into the account seven percent (7%) of his
16 salary. Payments shall be deducted each pay period from
17 each member's salary by the chief fiscal officer of each
18 participating employer. Employee contributions shall be
19 transferred to the account in accordance with subsection
20 (c) of this section.

21

1 **9-3-413. Employer's contributions; payable monthly;**
2 **transfer to account; interest imposed upon delinquent**
3 **contributions; recovery.**

4
5 Except as provided by W.S. 9-2-3207(a)(xi)(F)(III) or (IV),
6 9-3-431 and 9-3-432, each employer excluding employers of
7 firefighter members, shall, on a monthly basis, pay into
8 the account a contribution equal to ~~eight and sixty two~~
9 ~~hundredths percent (8.62%) of the salary paid to each of~~
10 ~~its members covered under this article for the period from~~
11 ~~September 1, 2018 through June 30, 2019, eight and~~
12 ~~eighty seven hundredths percent (8.87%) of the salary paid~~
13 ~~for the period from July 1, 2019 through June 30, 2020,~~
14 ~~nine and twelve hundredths percent (9.12%) of the salary~~
15 ~~paid for the period from July 1, 2020 through June 30, 2021~~
16 ~~and thereafter~~ nine and thirty-seven hundredths percent
17 (9.37%) of the salary paid for the period from July 1, 2021
18 through June 30, 2024, nine and sixty-two hundredths
19 percent (9.62%) of the salary paid for the period from July
20 1, 2024 through June 30, 2025 and thereafter nine and
21 eighty-seven hundredths (9.87%) of the salary paid.

22 Employers of firefighter members shall pay into the account
23 a contribution equal to seven and twelve hundredths percent

1 (7.12%) of the salary paid. Employer contributions for any
2 month, together with the members' contributions for that
3 month, if any, shall be transferred to the board not later
4 than the twelfth day of the following month. These
5 contributions shall be credited to the account in a manner
6 as directed by the board. Any employer failing to transfer
7 contributions under this section in sufficient time for the
8 board to receive the contributions by the twenty-fifth day
9 of the month due shall be assessed interest at the assumed
10 rate of return as determined by the board, compounded
11 annually. Interest imposed under this section shall be
12 payable not later than the twelfth day of the next
13 succeeding month. If the contributions and any interest
14 imposed under this section are not transferred to the board
15 when due, they may be recovered, together with court costs,
16 in an action brought for that purpose in the first judicial
17 district court in Laramie County, Wyoming.

18

19 **Section 2.**

20

21 (a) As used in this section, "state agency" includes
22 each state executive, legislative or judicial department,
23 board, commission or other agency or instrumentality of the

1 state and, for purposes of subsections (d) and (k) of this
2 section, includes the University of Wyoming and each
3 community college.

4

5 (b) There is appropriated three million four hundred
6 eighty-three thousand dollars (\$3,483,000.00) from the
7 general fund to the state auditor for purposes of payment
8 of the increase in employer contribution rates required by
9 W.S. 9-3-413, as amended by section 1 of this act. Subject
10 to the provisions of this section and from this
11 appropriation, the state auditor shall distribute this
12 appropriation as follows:

13

14 (i) Thirty-three thousand dollars (\$33,000.00)
15 for legislative branch employer contributions;

16

17 (ii) One hundred thirty thousand dollars
18 (\$130,000.00) for judicial branch employer contributions;

19

20 (iii) One million nine hundred fifty thousand
21 dollars (\$1,950,000.00) for state executive branch employer
22 contributions;

23

1 (iv) Five hundred thousand dollars (\$500,000.00)
2 for community college employer contributions;

3

4 (v) Eight hundred seventy thousand dollars
5 (\$870,000.00) for University of Wyoming employer
6 contributions.

7

8 (c) There is appropriated to the state auditor six
9 million eight hundred twenty-five thousand dollars
10 (\$6,825,000.00) from the public school foundation program
11 account for employer contributions for school districts.

12

13 (d) For state agency employers whose retirement
14 contributions are made from non-general fund sources, there
15 is appropriated from those accounts and funds amounts
16 necessary to provide payment of the increase in employer
17 contribution rates required by W.S. 9-3-413, as amended by
18 section 1 of this act.

19

20 (e) The appropriations under paragraphs (b)(i)
21 through (iii) and subsection (d) of this section shall only
22 be expended to provide payment of the increase in each
23 state agency's employer contribution rates required by W.S.

1 9-3-413, as amended by section 1 of this act, for the
2 2025-2026 fiscal biennium. The appropriation under
3 paragraphs (b)(iv) and (v) of this section shall only be
4 expended for the purpose of providing payment of the
5 increase in the University of Wyoming and community college
6 employer contribution rates required by W.S. 9-3-413, as
7 amended by section 1 of this act, and to provide like
8 contributions under W.S. 21-19-101 through 21-19-106
9 corresponding to the increased employer contributions under
10 this act for the 2025-2026 fiscal biennium.

11

12 (f) The appropriation under subsection (c) of this
13 section shall only be expended for the purpose of providing
14 each school district's increased employer contribution
15 required by W.S. 9-3-413, as amended by section 1 of this
16 act, for the 2025-2026 fiscal biennium. The state auditor
17 shall transfer the funds to the state retirement system or
18 to the department of education for distribution to
19 individual school districts as determined by the department
20 of education to be necessary to meet the provisions of this
21 act. Any unexpended public school foundation program
22 account funds appropriated under subsection (c) of this

1 section on June 30, 2026 shall revert to the public school
2 foundation program account.

3

4 (g) No amount of the appropriations made in this
5 section shall be used to provide the increased employee
6 contribution required by this act.

7

8 (h) Notwithstanding any other provision of law, the
9 appropriations under this section shall not be transferred
10 or expended for any purpose other than as specified in this
11 section. Any unexpended, unobligated funds remaining from
12 the appropriations made in this section shall revert as
13 provided by law on June 30, 2026.

14

15 (j) Except as otherwise provided in this section, the
16 state auditor shall transfer the funds to the state
17 retirement system or to individual state agencies as
18 determined by the department of administration and
19 information to be necessary to meet the provisions of this
20 act.

21

22 (k) It is the intent of the legislature that the
23 appropriations made in this section be included in each

1 state agency's standard budget request for the immediately
2 succeeding fiscal biennium.

3

4 **Section 3.** This act is effective July 1, 2024.

5

6

(END)