

SENATE FILE NO. SF0074

Special districts-reversal of dissolution for noncompliance.

Sponsored by: Senator(s) Cooper and Representative(s) Winter

A BILL

for

1 AN ACT relating to special districts; providing a process
2 by which special districts required to dissolve for audit
3 report noncompliance may reinstate the special district or
4 cease the dissolution; specifying requirements for
5 reinstatement; making conforming amendments; and providing
6 for an effective date.

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

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10 **Section 1.** W.S. 22-29-103(b) and 22-29-401(b) and by
11 creating a new subsection (c) are amended to read:

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13 **22-29-103. Applicability to special districts;**
14 **general provisions.**

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1 (b) This act specifies requirements pertaining to
2 elections and changes in the organization of the districts
3 listed in subsection (a) of this section where the
4 principal act is silent or unclear. Except as provided by
5 W.S. 22-29-401(b) and (c), the specific provisions of a
6 principal act are effective and controlling to the extent
7 they conflict with this act.

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9 **22-29-401. Dissolution procedure.**

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11 (b) Subject to subsection (c) of this section,
12 dissolution of a district shall be initiated by resolution
13 of the board of county commissioners if the director of the
14 department of audit has notified the board of county
15 commissioners of the district's failure to comply with the
16 reporting requirements of W.S. 9-1-507, and the district
17 has failed to comply with W.S. 9-1-507(a)(vii) by December
18 30 of that same calendar year. The board of county
19 commissioners shall declare the board of directors vacant
20 under W.S. 22-29-201, and shall fill the board by
21 appointment under W.S. 22-29-202 for the purpose of
22 dissolving the district.

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1 (c) A board of county commissioners may, by
2 resolution, reinstate a district or cease dissolution
3 procedures required under subsection (b) of this section in
4 accordance with the following:

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6 (i) The district shall become compliant with the
7 requirements of W.S. 9-1-507 by not later than April 1 of
8 the year following the calendar year in which the district
9 fails to comply with the annual reporting requirement under
10 W.S. 9-1-507;

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12 (ii) Before a district is reinstated or before
13 dissolution procedures are ceased under this subsection,
14 the district shall provide a corrective action plan to the
15 board of county commissioners, which shall approve the plan
16 submitted by the district before proceeding under this
17 subsection;

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19 (iii) No reinstatement of a district or
20 cessation of dissolution procedures shall occur unless the
21 department of audit certifies to the board of county
22 commissioners in writing that the district has become
23 compliant with the reporting requirements of W.S. 9-1-507;

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(iv) A district reinstated under this subsection shall be deemed to have never been dissolved;

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(v) The board of county commissioners may:

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(A) Allow the district to proceed with the board of directors appointed under subsection (b) of this section; or

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(B) Upon reinstatement, declare the board of directors vacant under W.S. 22-29-201. Upon a declaration of vacancy under this subparagraph, the board of county commissioners shall fill the board by appointment under W.S. 22-29-202.

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(END)