

Summary of 2022 Legislative Session Bills

Bills that PASSED the 2022 Legislative Session

House Bill 0030. School finance-increasing cash reserves.

(HEA0003, CH0014)

Sponsored by Joint Education Interim Committee

AN ACT relating to school finance; implementing modifications to the Wyoming education resource block grant model; increasing the amount that can be computed for a school district's operating balance and cash reserves; prohibiting expenditures on capital construction during a specified period; and providing for an effective date.

This act modifies the calculation of school districts' local revenues used within the education resource block grant model. The act increases the limit of operating balances and cash reserves that a district can maintain from 15% to 30% of the prior year's foundation program amount before any excess is counted as a local revenue for the fiscal year ending June 30, 2022, through the fiscal year ending June 30, 2026. This act requires school districts to separately account for the increase authorized and prohibits expenditure of the increased operating balance and cash reserves on school capital construction.

House Bill 0031. Wyoming's tomorrow scholarship program.

(HEA0048, CH0052)

Sponsored by Joint Education Interim Committee

AN ACT relating to higher education; creating the Wyoming's tomorrow scholarship program; providing eligibility requirements; authorizing administration and rulemaking; creating an account and a permanent fund; requiring reports; providing for a continuous appropriation; amending a provision regarding permanent funds of the state; making conforming amendments; providing for a transfer of funds; specifying applicability; and providing for an effective date.

This act creates the Wyoming's tomorrow scholarship program to be administered by the Wyoming community college commission, in consultation with the University of Wyoming. The act specifies eligibility requirements and provides for a maximum per-semester award of \$1,800 for a maximum of four academic terms and a total scholarship award not to exceed \$7,200. The act allows students to use the scholarship to obtain a degree or a certificate. This act establishes an endowment fund and an expenditure account and requires a minimum endowment fund market value balance of \$50 million prior to the award of any scholarship. This act appropriates \$10 million from the legislative stabilization reserve account to the endowment fund.

House Bill 0100. Redistricting of the legislature.

(HEA0062, CH0112)

Sponsored by Joint Corporations, Elections & Political Subdivisions Interim Committee

AN ACT relating to state legislative districts; providing definitions; providing legislative findings; providing a plan for state legislative districts based upon the 2020 census; providing for election of the senate; and providing for an effective date.

Summary of 2022 Legislative Session Bills

The Legislature is required to determine legislative districts according to population every 10 years. Pursuant to that law, this act creates new legislative districts based on the 2020 decennial census. The act provides 31 single member Senate Districts and 62 single member House Districts. Most Senate Districts contain two wholly nested House Districts. There are two Senate Districts that are un-nested with the underlying four House Districts. The act provides legislative findings for the areas of the redistricting plan that have a larger variance in deviation from the ideal district population size. The act specifies that it is effective for the 2022 general election cycle and the sixty-seventh legislature and that the act shall not affect the terms of members of the sixty-sixth legislature. The act provides that it does not affect the terms of current Senators.

Senate File 0001. General government appropriations.

(SEA0012, CH0051)

Sponsored by Joint Appropriations Committee

AN ACT to make appropriations for the fiscal biennium commencing July 1, 2022 and ending June 30, 2024; providing definitions; providing for appropriations and transfers of funds for the period of the budget and for the remainder of the current biennium as specified; providing for carryover of certain funds beyond the biennium as specified; providing for employee positions as specified; providing for duties, terms and conditions and other requirements relating to appropriations for the remainder of the current biennium and the period of the budget as specified; providing for position and other budgetary limitations; amending existing law by redirecting revenues and making transfers for the period of the budget; modifying teacher incentive pay for the period of the budget; providing for reports related to appropriations; creating an account; and providing for effective dates.

This bill contains the following appropriations:

Total Appropriations:

General Fund (GF) Appropriations and Transfers*:	\$2,872,955,172
Federal Fund (FF) Appropriations:	\$1,893,738,420
School Foundation Program Account (SFP) Appr.:	\$1,798,920,713
<u>Other Fund Appropriations:</u>	<u>\$3,100,594,457</u>
Total Appropriations in Budget Bill:	\$9,666,208,762

*Note: These totals reflect the full appropriations, prior to any reductions that are contingent upon the enactment of other bills.

Total Authorized Positions: 7,321 (7,066 full-time and 255 part-time)

General Government – This bill contains appropriations for executive branch and judicial branch agencies for the fiscal year (FY) 2023-2024 biennium, provides for duties and conditions relating to these appropriations, redirects revenues for the period of the budget, and provides for reports related to the appropriations.

K-12 Education – This bill includes appropriations of \$1.765 billion from the School Foundation Program (SFP) for school districts, including an external cost adjustment for utilities/energy and educational materials. The bill includes appropriations of funds from the School Capital

Summary of 2022 Legislative Session Bills

Construction Account (SCCA) of \$257.5 million for school facilities, including \$159.0 million for school district major maintenance. Additionally, the bill reduces funding by one-half for the period of the budget for national board certified teachers and redirects, for the period of the budget, investment earnings from the Wyoming Education Trust Fund to the SFP. (vetoed, see below);

The Governor vetoed the following provisions that were not overridden:

- Section 318 (National Board Certification of Teachers)
- Section 323 (Wyoming Education Trust Fund Earnings)

Senate File 0031. Absenteeism and truancy.

(SEA0002, CH0004)

Sponsored by Joint Education Interim Committee

AN ACT relating to education; amending responsibilities for enforcing compulsory attendance requirements; providing that a child subject to willful absenteeism is neglected for purposes of the Child Protection Act; providing that a child who is a habitual truant is a child in need of supervision; creating definitions; requiring rulemaking; amending penalties; and providing for an effective date.

This act amends provisions governing absenteeism and truancy related to K-12 public education and defines the terms “habitual truant” and “willful absenteeism” in context of compulsory attendance requirements. The act clarifies the duty of attendance officers, including duties related to reporting compulsory attendance violations to a board of trustees, to district attorneys, and if the child is an Indian child as defined in the federal Indian Child Welfare Act, to the child’s tribe and the Wind River Tribal Court. The act amends the penalties associated with absenteeism and truancy to include not more than 10 days of community service and clarifies that proceedings under the Child Protection Act and the Children in Need of Supervision Act may be initiated in relation to compulsory attendance violations.

Senate File 0032. K-3 reading assessment and intervention program.

(SEA0028, CH0056)

Sponsored by Joint Education Interim Committee

AN ACT relating to reading assessment and intervention; requiring approval of assessment and screening instruments; requiring parental or guardian notification; requiring professional development; requiring rulemaking; requiring studies; requiring reporting; providing for an appropriation; establishing payments for professional development expenses as specified; and providing for effective dates.

This act modifies the reading assessment and intervention program in kindergarten through grade three for public schools. The program was enacted in 2001, with subsequent amendments in 2011, 2013, 2015, 2019, and most recently during the 2022 Budget Session. The act requires that school districts assess students in kindergarten through grade three not less than three times per year for reading difficulties and requires the state superintendent to adopt criteria to identify instruments that screen for reading difficulties and monitor and measure reading progress. Section 4 of this act, authorizing study of the criteria for the assessment instruments, is effective immediately. The act requires school district employees providing instruction in kindergarten through grade three to have received or receive professional development in literacy instruction and identification of students with reading difficulties not less than once every three years. The

Summary of 2022 Legislative Session Bills

state superintendent is charged with reviewing and adopting professional development requirements in rule. This act requires reporting by the state superintendent over the 2022 and 2023 interim, with a final report on the assessment instruments not later than July 1, 2023, and on the professional development requirements, not later than September 1, 2023.

Senate File 0066. American rescue plan act recovery funds appropriations.

(SEA0020, CH0050)

Sponsored by Joint Appropriations Committee

AN ACT relating to the emergency expenses of government; providing definitions; providing for appropriations; specifying conditions on the appropriation and expenditure of COVID-19 relief funds; authorizing emergency government programs; authorizing rulemaking; requiring reporting; amending and repealing prior appropriations of COVID-19 relief funds; amending a sunset date for emergency programs; specifying applicability; and providing for an effective date.

This act authorizes the Governor to establish by order or rule emergency programs for which funds are appropriated in the act and that are consistent with the terms of the American Rescue Plan Act (ARPA) and that do not obligate the state to make any expenditure of state funds not appropriated by the Legislature. The act appropriates \$385,489,684 ARPA Direct effective immediately through December 31, 2026.

Senate File 0078. Language proficiency-seal of biliteracy.

(SEA0047, CH0100)

Sponsored by Senator(s) Ellis, Kost, Rothfuss, Salazar, Schuler and Wasserburger and Representative(s) Flitner, Harshman, Neiman, Nicholas, Wilson and Yin

AN ACT relating to education; establishing Wyoming seals of biliteracy; creating state superintendent responsibilities; authorizing conferral of seals by school districts; requiring reporting; and providing for an effective date.

This act requires the State Superintendent of Public Instruction to establish a Wyoming seal of biliteracy and an advanced distinction Wyoming seal of biliteracy for graduating high school students who are proficient in English and one or more world languages. The act authorizes the Superintendent to convene language educators to assist with the task of identifying appropriate assessments and proficiency levels necessary for conferral of the biliteracy seals. This act authorizes school districts to confer seals of biliteracy upon graduating high school students and requires that school districts annually report the number of biliteracy seals issued during the prior school year to the Superintendent.

Senate File 0085. Child care facility certification exemption.

(SEA0042, CH0071)

Sponsored by Senator(s) Perkins, Boner, Case, Kinskey, Kost, Nethercott and Salazar and Representative(s) Flitner, Harshman, Larsen, Sweeney and Walters

AN ACT relating to children; exempting specified after school programs from child care facility certification requirements; and providing for an effective date.

Summary of 2022 Legislative Session Bills

Wyoming requires all child caring facilities, with a few exceptions, to be certified by the Department of Family Services before exercising care, custody, or control of any minor. This act creates an exception from certification requirements for after school programs that: operate primarily when school is not in session including before and after school and during summer months; exclusively serve children required to attend school under compulsory pupil attendance laws; are organized to promote childhood learning, child and youth development, educational, enrichment, recreational or character-building activities; and adhere to all local applicable health, safety and fire codes or regulation.

Bills that FAILED the 2022 Legislative Session

House Bill 0026. Dual public employment and office holding.

Sponsored by Representative(s) Fortner, Ottman and Rodriguez-Williams and Senator(s) Bouchard, French, James and McKeown

AN ACT relating to elections; imposing restrictions on public employment and holding elected public office as specified; amending restrictions on holding multiple elected public offices as specified; and providing for an effective date.

House Bill 0028. Hathaway lump sum merit scholarship.

Sponsored by Joint Education Interim Committee

AN ACT relating to the Hathaway scholarship program; amending award timing for the Hathaway scholarship program; amending eligibility requirements as specified; amending the calculation of unmet financial need; amending the calculation of scholarship amounts; deleting obsolete language; specifying applicability; repealing provisions; and providing for an effective date.

House Bill 0029. Hathaway scholarship amendments.

Sponsored by Joint Education Committee

AN ACT relating to Hathaway scholarship program; merging the reserve and expenditure accounts; increasing the available balance in the expenditure account; modifying investment of funds; increasing scholarship awards as specified; making conforming amendments; transferring funds; and providing for an effective date.

House Bill 0032. Vaccine requirements-limitations.

Sponsored by Joint Labor, Health & Social Services Interim Committee

AN ACT relating to public health and safety; requiring health care facilities, governmental entities and providers of essential services to offer reasonable accommodations as specified to persons unable or unwilling to provide proof of immunization; providing for a vaccine monitoring period before an immunization may be mandated for school children; providing that requiring immunization as a condition of employment is a discriminatory or unfair employment practice as specified; providing definitions; and providing for an effective date.

House Bill 0034. State funds-investments and distributions.

Sponsored by Select Committee on School Facilities

AN ACT relating to the state funds; revising distribution of funds from the strategic investments and projects account and the school lands mineral royalties account as specified; eliminating the state penitentiary capital construction account; transferring funds; and providing for an effective date.

Summary of 2022 Legislative Session Bills

House Bill 0036. Severance tax distribution revision.

Sponsored by Joint Revenue Interim Committee

AN ACT relating to severance tax distributions; increasing the cap on specified severance tax distributions; providing for distribution of the increased amount; revising existing distributions to maintain the same dollar amount of distributions; providing applicability; and providing for an effective date.

House Bill 0050. BOCES as local education agencies.

Sponsored by Representative(s) Sommers and Senator(s) Schuler

AN ACT relating to education; authorizing a board of cooperative educational services to act as a local education agency for the purpose of applying for and receiving state and federal grants; authorizing rulemaking; and providing for an effective date.

House Bill 0058. Constitutional instructional and examination requirements.

Sponsored by Representative(s) Laursen, Bear, Fortner, Hallinan, Haroldson, Jennings and Rodriguez-Williams and Senator(s) French, James, McKeown, Salazar and Steinmetz

AN ACT relating to education; modifying the state and federal constitutional instruction required in public schools; requiring passage of an additional examination for high school graduation as specified; and providing for an effective date.

House Bill 0078. Bid rejection or denial for public works contracting.

Sponsored by Joint Appropriations Committee

AN ACT relating to public works; amending requirements for letting contracts for public works; requiring a written response for procurement decisions as specified; making conforming amendments; and providing for an effective date.

House Bill 0097. Ban on teaching and training critical race theory.

Sponsored by Representative(s) Gray, Bear, Haroldson, Heiner, Jennings, Laursen, Neiman and Winter and Senator(s) French and McKeown

AN ACT relating to education and training; creating limitations on teaching and training specified concepts; specifying duties for the attorney general and district attorneys; creating private causes of action; providing civil damages; and providing for an effective date.

House Bill 0118. Prohibiting mask discrimination for COVID-19.

Sponsored by Representative(s) Hallinan, Baker, Fortner, Gray, Haroldson and Jennings and Senator(s) Biteman

AN ACT relating to public health and safety; prohibiting discrimination based on the use or non-use of facial coverings for the purpose of preventing COVID-19 as specified; prohibiting publishing or advertising the use or non-use of facial coverings as a condition of receiving or accessing benefits, services or educational opportunities as specified; providing a criminal penalty; providing definitions; making a conforming amendment; and providing for an effective date.

House Bill 0138. Wyoming hope scholarship program.

Sponsored by Representative(s) Laursen, Andrew, Bear, Blackburn, Fortner, Hallinan, Haroldson, Heiner, Jennings, Neiman and Ottman and Senator(s) Biteman, Boner, French, Kinskey, Kolb and McKeown

AN ACT relating to education; creating the Hope scholarship program; providing eligibility requirements; establishing a board; authorizing administration and rulemaking; creating an account; establishing a fund; providing for continuous

Summary of 2022 Legislative Session Bills

appropriation; providing for a transfer of funds; making conforming amendments; specifying compulsory attendance exemptions; and providing for an effective date.

House Bill 0145. Hunting and fishing-donations to support public schools.

Sponsored by Representative(s) Western, Clausen, Duncan and Newsome and Senator(s) Baldwin, Boner, Case and Hicks

AN ACT relating to game and fish; allowing for the payment of a voluntary fee to help fund the state's public schools when purchasing a hunting or fishing license; and providing for effective dates.

House Bill 0147. Cash based budget development.

Sponsored by Representative(s) Barlow, Gray, Harshman, Jennings and Olsen and Senator(s) Case, Driskill and Hicks

AN ACT relating to state budgeting; providing that recommended appropriations in the state budget shall be limited to specified prior revenues; amending revenue distribution and fund transfers; providing for annual budget development; requiring a study; specifying legislative intent; sunseting conflicting provisions; providing that provisions in the act are contingent on specified funding levels; and providing for effective dates.

House Bill 0152. Removal of political parties from elections.

Sponsored by Representative(s) Yin

AN ACT relating to elections; providing for any voter to vote for any candidate at primary elections; modifying requirements for primary and general election ballots; amending definitions relating to qualifications of political parties; eliminating election of precinct committeemen and committeewomen at primary elections; modifying procedures for filling of vacancies as specified; requiring special elections as specified; requiring rulemaking; making conforming amendments; repealing and removing obsolete language; and providing for effective dates.

House Bill 0154. Religious Freedom Restoration Act.

Sponsored by Representative(s) Romero-Martinez and Senator(s) Hutchings

AN ACT relating to religious freedom; creating the Religious Freedom Restoration Act; providing definitions; limiting specified governmental actions that burden religious freedom or acts of moral conscience as specified; authorizing claims and defenses against governmental action that burden religious freedom as specified; providing exceptions; and providing for an effective date.

House Joint Resolution 0006. Common school account-investments and distributions.

Sponsored by Select Committee on Capital Financing & Investments

A JOINT RESOLUTION proposing to amend the Wyoming Constitution to modify and modernize the common school account within the permanent land fund; requiring that all common school account earnings be transferred to a separate earnings fund; specifying actions and uses of the common school account's earnings; and requiring that the legislature provide a means for making whole any investment losses to the common school account.

House Joint Resolution 0008. Educational freedom-constitutional amendment.

Sponsored by Representative(s) Romero-Martinez, Burt, Hallinan, Nicholas and Wilson and Senator(s) Ellis

Summary of 2022 Legislative Session Bills

A JOINT RESOLUTION proposing to amend the Wyoming Constitution to authorize the legislature to appropriate funds to reimburse students for the costs of education received outside of public schools.

Senate File 0030. Wyoming community college investment fund.

Sponsored by Joint Education Interim Committee

AN ACT relating to community college funding; creating accounts and a permanent fund; requiring reports; providing for the transfer of funds; amending a provision regarding permanent funds of the state; providing an appropriation; and providing for an effective date.

Senate File 0033. Codification of the education resource block grant model.

Sponsored by Joint Education Interim Committee

AN ACT relating to school finance; providing school finance transparency; codifying the existing formulae of the Wyoming education resource block grant model; conforming related provisions; repealing conflicting provisions; and providing for an effective date.

Senate File 0044. Severance tax distribution-jobs and education.

Sponsored by Joint Transportation, Highways & Military Affairs Interim Committee

AN ACT relating to taxation and revenue; changing distribution of a percentage of severance tax from the permanent Wyoming mineral trust fund and common school account to the highway fund and the community college commission; and providing for an effective date.

Senate File 0050. Government waste, fraud, abuse and whistleblower protection.

Sponsored by Senator(s) James, Biteman, Bouchard, French, McKeown and Salazar and Representative(s) Fortner, Laursen and Rodriguez-Williams

AN ACT relating to the administration of government; establishing a reporting system for governmental waste, fraud and abuse; authorizing enforcement actions; imposing employment consequences; amending provisions governing employee protections related to reporting of government waste, fraud and abuse; requiring posted notice of employee protections as specified; requiring reports; specifying applicability; and providing for an effective date.

Senate File 0051. Fairness in women's sports act.

Sponsored by Senator(s) Schuler, French, Hutchings, Salazar and Steinmetz and Representative(s) Gray, Haroldson and Jennings

AN ACT relating to school sports; prohibiting biological males from athletic teams and sports designated for females in public schools; establishing related causes of action as specified; requiring rulemaking; and providing for effective dates.

Senate File 0062. Civics Transparency Act.

Sponsored by Senator(s) Driskill, Cooper, Dockstader, Hicks, Hutchings, Kolb, Salazar, Scott and Steinmetz and Representative(s) Neiman and Paxton

AN ACT relating to K-12 public education; requiring publication of a list of all instructional material utilized by K-12 public schools; and providing for an effective date.

Summary of 2022 Legislative Session Bills

Senate File 0094. Penalties for mandating COVID-19 vaccinations-2.

Sponsored by Senator(s) James, Bouchard and McKeown and Representative(s) Fortner
AN ACT relating to offenses by public officials; prohibiting COVID-19 vaccination mandates as specified; prohibiting penalties and sanctions for the use of alternative COVID-19 treatments; providing penalties; providing definitions; making conforming amendments as specified; and providing for an effective date.

Senate File 0103. Education-limitations on teaching critical race theory-2.

Sponsored by Senator(s) McKeown, Biteman, Bouchard, Hutchings and James and Representative(s) Fortner, Hallinan, Laursen and Wharff
AN ACT relating to education; creating limitations on aspects of a specified program; providing a definition; and providing for an effective date.

Senate File 0114. Employer COVID-19 vaccine mandates and exemptions.

Sponsored by Senator(s) Dockstader, Driskill, Ellis and Landen and Representative(s) Barlow
AN ACT relating to labor and employment; implementing requirements governing employer COVID-19 vaccine mandates; providing definitions; requiring employers to provide exemptions to employees as part of any employer required COVID-19 vaccine mandate; specifying grounds for granting exemptions; providing employer protections as specified; providing for the investigation of employee COVID-19 vaccine mandate complaints by the department of workforce services; authorizing administrative review of a department determination by the office of administrative hearings; providing penalties for employers who violate the requirements governing employer COVID-19 vaccine mandates; specifying the applicability of requirements governing employer COVID-19 vaccine mandates under the Wyoming employment security law; providing exceptions to requirements governing employer COVID-19 vaccine mandates for conflicting federal law or regulations; requiring rulemaking; providing a sunset date; and providing for an effective date.