

ENROLLED ACT NO. 49, HOUSE OF REPRESENTATIVES

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

AN ACT relating to revision of inadvertent errors; correcting statutory references and language resulting from inadvertent errors and omissions in previously adopted legislation; specifying applicability; and providing for an effective date.

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

Section 1. W.S. 1-16-502, 1-16-504, 2-1-205(d), 9-4-719(b), 21-13-330(g)(vi), 22-24-306(b), 22-24-307, 26-11-116(a)(viii), 39-15-108(b)(ii)(A) and (B) and 42-6-105(a)(vi) and (c) are amended to read:

1-16-502. Revivor of dormant judgments; generally.

When a judgment, including judgments rendered by a circuit court, a transcript of which has been filed in the district court for execution, becomes dormant, it may be revived ~~in the same manner as prescribed for reviving actions before judgment or by action~~ by the allowance of the court of a motion for revival or by a conditional order of the court that the action be revived. If the order of revival is made by consent of the parties, the action shall be revived. If the order is not made by consent, the order shall be served on the adverse party. When either party to the dormant judgment, his agent or attorney, makes affidavit showing that the adverse party is a nonresident of the state and that the judgment remains unsatisfied in whole or in part and the amount owing thereon, service may be made by publication as in other cases. If sufficient cause is not shown to the contrary, the judgment shall stand revived for the amount which the court finds to be due and unsatisfied thereon. The lien of the judgment for the amount due shall be revived and shall operate from the time of the entry of the conditional order or the filing of the motion.

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1-16-504. Revivor when parties die after judgment.

If either or both parties die after judgment and before satisfaction thereof, their representatives may be made parties to the judgment in the same manner prescribed for the revival of actions ~~before judgment~~ as provided in W.S. 1-16-502. The judgment may be rendered and execution awarded against the representatives of the deceased parties.

2-1-205. Summary procedure for distribution of personal or real property; application for decree; notice by publication; presumptive evidence of title; effect of false statements.

(d) A notice of application for a decree of summary distribution of property shall be published once a week for two (2) consecutive weeks in a newspaper of general circulation in the county in which the application was filed. The notice of application shall be served by first class mail to the last known address, with copy of application attached, to the surviving spouse of the decedent, if any, and to all other distributees, so far as known, or to their guardians if any of them are minors, or to their personal representatives if any of them are deceased and to any reasonably ascertainable creditors ~~no less~~ not later than ten (10) days after the date of first publication.

9-4-719. Investment earnings spending policy permanent funds.

(b) There is created the permanent Wyoming mineral trust fund reserve account. Beginning July 1, 2016 for fiscal year 2017 and each fiscal year thereafter, the state treasurer shall transfer unobligated funds from this account to the general fund as necessary to ensure that an

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amount equal to ~~the spending policy amount specified in subsection (d) of this section~~ two and one-half percent (2.5%) of the previous five (5) year average market value of the permanent Wyoming mineral trust fund, calculated on the first day of the fiscal year, ~~reduced by the amount credited to the legislative stabilization reserve account and the strategic investments and projects account by subsection (g) of this section,~~ is available for expenditure annually during each fiscal year. As soon as possible after the end of each of the fiscal years beginning on and after July 1, 2000, revenues in this account in excess of ninety percent (90%) of the spending policy amount in subsection (d) of this section shall be credited to the permanent Wyoming mineral trust fund.

21-13-330. Distance education; program content; distance learning plan required; students within ADM of resident district; agreements with districts authorized.

(g) A resident school district providing distance education for any student shall:

(vi) Verify the distance education program received by the participating student complies with and fulfills the state education program established by W.S. 21-9-101 and 21-9-102 and rule and regulation of the state ~~board~~ superintendent under W.S. 21-2-202(a)(xxxi) and that the program otherwise meets district program standards;

22-24-306. Sponsors and circulators.

(b) The committee of ~~sponsors~~ applicants shall file ~~receipt~~ contribution and expenditure reports as required by W.S. 22-25-106.

22-24-307. Review by secretary of state; conditional certification.

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Within seven (7) calendar days after receiving a final proposed bill, the secretary of state shall review the proposed bill and its associated application and shall either conditionally certify it, pending submission of the qualified signatures required by W.S. ~~22-24-304(e)~~ 22-24-304(c), or notify the committee of applicants in writing of the grounds for denial.

26-11-116. Records of broker; contents; examination.

(a) Each surplus lines broker shall keep in his office a full and true record of each surplus lines insurance contract placed by or through the broker for which this state is the home state of the insured, including a copy of the policy, certificate, cover note or other evidence of insurance showing each of the following applicable items:

(viii) Brief general description of the property or risk insured and where located or to be performed; ~~and~~

39-15-108. Enforcement.

(b) Interest. The following shall apply:

(ii) If the sales or use tax on a vehicle, including local option sales or use tax, under W.S. 39-15-101 through 39-15-211 or 39-16-101 through 39-16-211, is not paid within sixty-five (65) days after the date of the sale, or in the case of a motor vehicle brought into this state, sixty-five (65) days after the vehicle is brought into the state if the owner submits to the county treasurer an affidavit and any other satisfactory proof as necessary to verify the date the vehicle was brought into the state:

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(A) Interest shall accrue at the rate of one percent (1%) per month or fractional portion thereof from the ~~fiftieth~~sixty-fifth day after the date of sale until the date of payment of all sales tax interest and civil fees due. County treasurers shall collect interest due under this subsection which shall be forwarded to the department and credited to the state general fund;

(B) A civil fee of twenty-five dollars (\$25.00) from the ~~fiftieth~~sixty-fifth day through the ~~sixtieth~~seventy-fifth day after the date of sale shall also be assessed by the county treasurer under this paragraph. If all sales tax, interest and civil fees due are not paid by the ~~sixtieth~~seventy-fifth day, the civil fee shall be the twenty-five dollar (\$25.00) amount or ten percent (10%) of the amount of tax due, whichever is greater, and shall be assessed by the county treasurer. Civil fees collected under this subparagraph shall be credited to the general fund of the county which makes the collection;

42-6-105. Adult foster care homes; licensure; suspension or revocation.

(a) The department may initiate and license an adult foster care pilot project subject to the following:

(vi) The pilot program shall consist of no more than ten (10) adult ~~care~~care foster care homes. At least three (3) of the homes shall be in counties with a population of thirty thousand (30,000) or less.

(c) If, in the professional judgment of the state health officer, there is a clear and present threat to the health or safety of a resident client, the state health officer may close an adult ~~care~~care foster care home and transfer the residents to another place. The department

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shall also initiate proceedings pursuant to subsection (b) of this section within three (3) working days.

Section 2. Any other act adopted by the Wyoming legislature during the same session in which this act is adopted shall be given precedence and shall prevail over the amendments in this act to the extent that such acts are in conflict with this act.

Section 3. This act is effective July 1, 2016.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk