

SENATE FILE NO. SF0135

Education funds used for litigation.

Sponsored by: Senator(s) Burns, Bebout, Dockstader, Driskill and Landen and Representative(s) Burkhardt, Lindholm and Walters

A BILL

for

1 AN ACT relating to school districts; prohibiting specified
2 expenditures of funds by school districts; and providing
3 for an effective date.

4

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

6

7 **Section 1.** W.S. 21-3-111(a)(i), (iv) and by creating
8 a new subsection (d) is amended to read:

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10 **21-3-111. Powers of boards of trustees.**

11

12 (a) The board of trustees in each school district
13 within the state may:

14

1 (i) Except as prohibited by subsection (d) of
2 this section, sue and be sued in the name by which the
3 district is designated;

4
5 (iv) Except as prohibited by subsection (d) of
6 this section, employ legal counsel and bear the cost of
7 litigation;

8
9 (d) Notwithstanding paragraphs (a)(i) and (iv) of
10 this section, W.S. 1-37-101 through 1-37-115 or any other
11 provision of law, a school district board of trustees shall
12 not directly or indirectly expend any funds of the school
13 district for legal fees or other expenses in an action
14 maintained by the district or by any other person against
15 the state, political subdivision of the state or elected
16 state official which challenges or questions the
17 constitutionality or administration of the state's public
18 school finance system, except in support of the state.

19

1 **Section 2.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

5

6

(END)