

# **2023 LEGISLATIVE SESSION**

## ***BILL REVIEW AND STATUS***

MONDAY JANUARY 23 2023

**NOTE:** THE GENERAL SESSION CONVENED ON JANUARY 10TH. JANUARY 26TH IS THE LAST DAY FOR SENATE BILL INTRODUCTIONS. JANUARY 31ST IS THE LAST DAY FOR HOUSE BILL INTRODUCTIONS. UPDATED BILL STATUS INFORMATION WILL BE POSTED ON THE WSGA WEBSITE EACH MONDAY. For more information, call the WSGA office at 307-638-3942.

### **HOUSE BILLS**

**HB 01 GENERAL GOVERNMENT APPROPRIATIONS**—[Details will be provided when available.]

**HB 03 STATE ASSESSMENT OF INDEPENDENT POWER PRODUCERS**—assures uniformity by providing for state assessment of independent power producer property in lieu of individual county assessment.

Status: Introduced

WSGA Position: Support

**HB 16 STATE LAND LEASING—IMPROVEMENTS**—Increases from \$2,000 to \$4000 per section for each improvement on state leased land without prior authorization; changes toe valuation of improvements for reimbursement by a new lessee from “contributory value” to “depreciated value”.

Status: Passed House

WSGA Position: Strongly Support

**HB 17 STATE LANDS—GRAZING OF NON-OWNED LIVESTOCK**—Provides that prior approval and the sharing of “excess rentals” is not applicable to the grazing of non-owned livestock so long as the lessee retains full management and responsibility for the livestock.

Status: Passed House

WSGA Position: Strongly Support

**HB 20 LAND EXCHANGES—PRIORITY**—Provides for notice to current lessees, owners of adjoining lands, county commissioners and legislators from the affected county prior to completing a land exchange; prioritized exchanges that are within the same county, increase public access, consolidates state ownership, or has express support from any of the above listed entities.

Status: Introduced

WSGA Position: Strongly Support

**HB 21 STATE LANDS—USE OF LAND QUALIFICATION REQUIREMENTS**—Clarifies existing language to provide that any applicant to lease state lands for grazing and agricultural purposes must have actual and necessary use for the land.

Status: Passed House Agriculture Committee

WSGA Position: Strongly Support

**HB 22 STATE LAND LEASE DEFICIENCIES—CURE PROCESS**—Requires that all applications to lease state lands are to be filed 60 days before expiration of the existing lease; requires a 2nd notice for failure to file or deficiencies in the filing not less than 40 days prior to expiration and offer the lessee not less than 30 days from receipt to file or correct the deficiency; requires payment of annual rentals forty days before the anniversary date; provides for an additional certified notice if the rental is not paid by the anniversary date and allows for an additional thirty days from the date of the notice to make payment together with a 10% late fee.

Status: Introduced

WSGA Position: Strongly Support

**HB 41 LIGHWEIGHT TRAILERS—PERMANENT REGISTRATION**—Authorizes permanent registration of house trailers, semitrailers and utility trailers that are at least six years old upon payment of an administrative fee of \$50 plus an amount equal to five times the normally applicable fees.

Status: Passed House

WSGA Position: Support

**HB 42 OFF-ROAD RECREATIONAL VEHICLE OPERATION**—Prohibits the operation of off-road recreational vehicles within the right of way of interstate highways with exceptions..

Status: Passed House

WSGA Position: Monitor

- HB 54 HOMESTEAD EXEMPTION**—Provides the ability of a homeowner to apply for a property tax exemption of the first \$110,00 of fair market value of property, which may include up to one acre of land, used as a primary residence.  
 Status: Introduced WSGA Position: Monitor
- HB 60 COLORADO RIVER AUTHORITY**—Establishes a Colorado River authority within the State Engineer’s Office composed of nine members with representation from the Upper Green, Lower Green and Snake River Basins to protect, conserve, use and develop Wyoming’s Colorado River waters; specifies the method of selection and duties of the River Commissioner.  
 Status: Received for Introduction WSGA Position: Support
- HB 63 VACANCIES IN ELECTED OFFICE**—Provides for the filling of vacancies in congressional or state-wide offices by a special election if more than half of the term remains at the time of the vacancy.  
 Status: Failed WSGA Position: Monitor
- HB 72 SALES TAX REVISIONS**—Makes the sales tax applicable to the majority of services including agricultural services with an exception for veterinary services for farm or ranch livestock; reduces the excise tax from 3% to 2 1/2%; repeals the sales tax exemption for food but authorizes counties to exempt sales of food from the county tax by a vote of the people; removes the current sales tax exemption for livestock and feeds as well as for farm equipment.  
 Status: Introduced WSGA Position: Strongly Oppose
- HB 73 ANNEXATION-VOTE REQUIREMENT**—Requires written approval from 2/3rds of all landowners owning a majority of the land in an area before annexation into a municipality.  
 Status: Passed House WSGA Position: Support
- HB 75 PAINTED FENCE POSTS—NO TRESSPASSING**—Makes the marking of fence posts or other structures with florescent orange or pink paint at any normal point of access as “notice” for purposes of criminal trespass citation; directs Game & Fish and State Parks of provisions concerning trespassing.  
 Status: Introduced WSGA Position: Support
- HB 83 TRIBAL AGREEMENTS TO HUNT AND FISH**—Authorizes the Governor to enter into agreement with tribes concerning hunting, fishing, trapping or gathering right claims based on treaty or other federal rights to assure consistency with state regulations and enforcement.  
 Status: Introduced WSGA Position: Support
- HB 88 FOREIGN OWNERSHIP OF AGRICULTURAL LAND-PROHIBITED**—Prohibits any foreign government, business or entity from purchasing agricultural land in Wyoming after July 1, 2023; requires registration of all lands owned prior to this date.  
 Status: Introduced WSGA Position: Monitor
- HB 93 OMNIBUS WATER BILL-CONSTRUCTION**—General authorization and funding allocation for diverse water projects including cloud seeding; increase appropriations for previously approved construction projects.  
 Status: Passed House 1st Reading WSGA Position: Support
- HB 95 WORKING ANIMAL PROTECTION ACT**—Prohibits any county, city or town from enacting any resolution, ordinance or policy that unduly restricts a person from using a working animal in lawful commerce including ranching.  
 Status: Introduced WSGA Position: Support
- HB 98 PROPERTY TAX-HOMEOWNERS EXEMPTION**—Exempts up to \$50,000 of the fair market value of a primary residence from property taxation.  
 Status: Introduced WSGA Position: Monitor
- HB 104 HUNTING OF PREDATORY ANIMALS –AMENDMENTS**—Allows the use of artificial lighting for the hunting of predatory animals.  
 Status: Introduced WSGA Position: Support
- HB 106 EMINENT DOMAIN-WIND ENERGY COLLECTOR SYSTEMS**—Reinstates a previous moratorium on the use of eminent domain to condemn a right of way across private land for wind energy collector systems until 2032.  
 Status: Introduced WSGA Position: Support

**HB 114 LEASING AND SALE OF STATE LANDS-AMENDMENTS**—Incorporates provisions of HB 16; adds “residential” as a leasing purpose; removes requirement for lease compliance with local land use planning and zoning; establishes a process for the valuation of commercial or residential improvements upon sale of the state land.

Status: Introduced

WSGA Position: Oppose/Amend

**HB 116 PROHIBITING FOREIGN PROPERTY OWNERSHIP IN WYOMING**—Prohibits any new ownership of land or minerals in Wyoming by a foreign interest from Russia, China or any country designated as a state sponsor of terrorism under federal law; grants an exception for a residence on one acre or less.

Status: Introduced

WSGA Position: Strongly Support

**HB 123 COLLECTION OF ANTLER OR HORNS BY RESIDENTS AND NONRESIDENTS**—Provides that shed antlers or horns found on public lands are the property of the state; empowers the G&F to establish seasons for their collection; requires that the season begin for residents three days before nonresidents.

Status: Introduced

WSGA Position: Monitor

**HB 126 TRESPASS-REMOVAL OF TRESPASSER**—Authorizes a landowner or their agent to use reasonable and appropriate physical force to remove a criminal trespasser from their land or premises.

Status: Introduced

WSGA Position: Support

**HB 131 STATE LOAN AND INVESTMENT BOARD-TASK FORCE AND STUDY**—Establishes a task force of legislators and gubernatorial appointees to review the duties and powers of the Boards and the Office of State Lands and Investments and develop any legislative changes deemed necessary.

Status: Introduced

WSGA Position: Oppose

**HB 142 NOTICE OF ANNEXATION**—Requires notice to landowners prior to annexation of land into a city or town.

Status: Passed House Corporations Committee

WSGA Position: Support

**HB 147 UNLAWFUL TRESPASS SIGNAGE-TAKING OF WILDLIFE**—Forbids the posting of signs that restrict access to state or federal lands for taking of wildlife where access is available.

Status: Introduced

WSGA Position: Monitor

**HB 168 INNOVATIONS IN WYOMING AGRICULTURE**—Allows custom exempt meat processors to offer products for retail sale.

Status: Introduced

WSGA Position: Support

**HB 171 NOTICE OF STATE LAND LEASES AND LOCAL OPPORTUNITIES**—Requires specified public notice 30 days before the leasing of trust lands for grazing and agricultural purposes; allows county residents who are lessees or occupants of adjoining lands the opportunity to match the high bid.

Status: Introduced

WSGA Position: Amend/Support

**HB 178 STATE LAND PARCELS-EVENT HOSTING**—Authorizes State Parks and the Office of State Lands to utilize parcels of state lands in Teton County to host revenue raising events.

Status: Introduced

WSGA Position: Monitor

**HB 180 BRUCELLOSIS TESTING-NOTIFICATION REQUIREMENTS**—Requires the Wyoming Livestock Board to establish a communication protocol for providing information related to brucellosis testing to livestock producers, veterinarians and brand inspectors.

Status: Introduced

WSGA Position: Support

**HB 200 NONRESIDENT HUNTING LICENSES-APPLICATION FEES**—Significantly increases application fees for all big game species.

Status: Received for Introduction

WSGA Position: Monitor

**HB 217 TROPHY GAME ANIMAL-CHANGE TO LARGE CARNIVORE GAME ANIMAL** — Changes all references to “trophy game animal” in current statutes to “large carnivore game animal”.

Status: Received for Introduction

WSGA Position: Monitor

**HJ 01 RESIDENTIAL PROPERTY TAXATION AMENDMENT**—If approved by voters, would establish a separate property class for residential property and authorize the legislature to establish a maximum annual valuation increase.

Status: Introduced

WSGA Position: Monitor

**HJ 02 CONSTITUTIONAL AMENDMENT-RESIDENTIAL PROPERTY CLASS**—If approved by voters, would establish a separate property class for residential property and authorizes the legislature to create subclasses of such property.

Status: Introduced

WSGA Position: Monitor

**HJ 03 WILD HORSES AND BURROS-BEST MANAGEMENT PRACTICES**—Calls upon congress to authorize management practices including equine slaughter and processing, and to strengthen the partnership with the states in horse and burro management.

Status: Introduced

WSGA Position: Strongly Support

## SENATE FILES

**SF 01 GENERAL GOVERNMENT APPROPRIATIONS**—Mirror Bill to HB 01.

**SF 27 WEED AND PEST MITIGATION-TRIBAL INCLUSION**—Authorizes the Eastern Shoshone, Northern Arapaho or a cooperative body of these tribes to participate in the state’s emergency insect management programs.

Status: Introduced

WSGA Position: Monitor

**SF 28 LIVESTOCK INFECTIOUS DISEASE CONTROL-TRIBAL INCLUSION**—Enables the state veterinarian to provide contagious and infectious reportable disease testing, containment and reimbursement services on the Wind River Reservation; authorizes the Governor to enter into negotiations with any tribe in the region to ensure that brucellosis is not passed from wildlife to livestock.

Status: Passed Senate Agriculture Committee

WSGA Position: Support

**SF 29 BRUCELLOSIS MANAGEMENT UPDATES**—Removes the mandatory requirement for branding of confirmed brucellosis infected animals; reidentifies “areas of concern” as “temporary surveillance” areas; authorizes the WLB to specify the required documentation for reimbursement.

Status: Passed Senate

WSGA Position: Strongly Support

**SF 30 APICULTURE-AGRICULTURAL LAND USE PURPOSE**—Defines apiculture (bee keeping) as an agricultural purpose for land valuation purposes.

Status: Failed

WSGA Position: Monitor

**SF 31 ADJACENT LAND RESOURCE DATA –TRESPASS REPEAL**—Removes that portion of statute related to civil actions for trespassing across private land to collect resource data on other lands which was found to be invalid by the Court.

Status: Passed Senate

WSGA Position: Support

**SF 33 DEFINING AIRCRAFT FOR PURPOSES OF HUNTING PROHIBITIONS**—Defines “aircraft” for the purposes of the hunting prohibition as “any machine or device capable of atmospheric flight” including unmanned vehicles.

Status: Introduced

WSGA Position: Strongly Support

**SF 34 TRESPASS BY SMALL UNMANNED AIRCRAFT**—Defines trespass to include causing a drone or similar aircraft to enter into the immediate reaches of the airspace over private property if the entry “substantially interferes with the landowner’s or his authorized occupant’s use and enjoyment of the land”.

Status: Passed Senate

WSGA Position: Amend/Support

**SF 56 PROHIBITING TRAVEL ACROSS PRIVATE LANDS FOR HUNTING PURPOSES**—Amends the current prohibition under the Game & Fish statutes to include travel through or return across private property; defines such travel to require physically touching or driving on the surface of the private property.

Status: Passed Senate

WSGA Position: Support

**SF 60 NONRESIDENT HUNTING LICENSE APPLICATION FEES**—Increases priority non-resident hunting application fees for elk, deer and antelope from 118% to 220%.

Status: Failed

WSGA Position: Monitor

**SF 68 PRESCRIPTIVE EASEMENT FOR WATER CONVEYANCES**—Provides for establishment of a prescriptive easement for a water conveyance that has been used and maintained for a period of at least ten years in a continuous open and notorious manner.

Status: Passed Senate 2nd Reading

WSGA Position: Monitor

**SF 71 STATE LOAN AND BOND PROGRAMS**—Would tie the interest rate on farm loans to the yield on a U.S. Treasury Security of the same duration with the Board being able to add an additional risk premium of up to 2%; would remove the current lower interest rate for beginning agricultural producers; would reduce the authorized amount available for farm loans from \$275 million to \$50 million.

Status: Passed Senate

WSGA Position: Strongly Oppose

**SF 73 LAWFUL FENCES**—Increases the fine for damage to livestock from an unlawful fence from not less than \$5 to \$150, and from not more than \$25 to \$750; As amended, provides that the adjoining landowner to a subdivision fence is not required to pay any of the cost of construction or maintenance of a subdivision fence..

Status: Failed Senate

WSGA Position: Strongly Support

**SF 74 SLOW MOVING VEHICLES-AMENDMENTS**—Requires a speed identification symbol showing the maximum speed at which the equipment is designed to operate on any farm tractor or self-propelled farm equipment manufactured after July 1, 2023 that is designed to operate in excess of 25 miles per hour as well as on any towed equipment when operating on a street or highway; prohibits travel at a speed in excess of the lowest displayed speed.

Status: Passed Senate 1st Reading

WSGA Position: Monitor

**SF 87 NATURAL RESOURCE FUNDING-LARGE PROJECT THRESHOLD INCREASE**—Increases the threshold for prior legislative approval of large projects from \$200,000 to \$400,000.

Status: Passed Senate 1st Reading

WSGA Position: Strongly Support

**SF 96 OMNIBUS WATER BILL-PLANNING AND ADMINISTRATION**—Authorizes and allocates funding for numerous reconnaissance and feasibility studies for both new and rehabilitation projects.

Status: Passed Senate 1st Reading

WSGA Position: Monitor

**SF 102 FOOD FREEDOM ACT AMENDMENTS**—Authorizes a producer to employ a third-party “designated agent” to sell products; includes eggs and dairy products under the Act.

Status: Passed Senate 1st Reading

WSGA Position: Support

**SF 105 UTILITIES-POINT OF CONSUMPTION AND ALLOCATION AGREEMENTS**—Creates a civil action against a utility for providing power outside of a certified service area without a consumer allocation agreement.

Status: Introduced

WSGA Position: Support

**SF 106 2023 LARGE PROJECTS FUNDING**—Authorizes funding of specific projects exceeding \$200,000 from the WWNRT including wildlife and fishery habitats, rangelands, removal of wild horses and conservation easements.

Status: Passed Senate 1st Reading

WSGA Position: Support

**SF 107 ACQUISITION, EXCHANGE AND SALE OF STATE TRUST LANDS**—Authorizes loans under the Farm Loan Program for the purchase of isolated parcels of state trust land of 80 acres or less.

Status: Received for Introduction

WSGA Position: Amend/Support

**SF 110 PERSONAL PROPERTY-TAX EXEMPTION**—Exempts all tangible personal property for property taxation.

Status: Introduced

WSGA Position: Monitor

**SF 125 PROPERTY TAX-LIMITING THE MAXIMUM TAXABLE VALUE INCREASE**—Limits the annual increase in property taxable value for property taxed based on market value to 5 percent.

Status: Passed Senate Revenue

WSGA Position: Monitor

**SF 128 TRANSFER OF STATE LANDS-EXCHANGE**—Removes the current requirement that any exchange of lands with the federal government must be of equal acreage.

Status: Introduced

WSGA Position: Monitor

**SF 134 RIGHT TO FARM—REAL ESTATE DISCLOSURES**—Requires a seller of vacant or subdivided land to provide a formal “Notice of Right to Farm” if there are any farm or ranch operations within one mile of the property.

Status: Introduced

WSGA Position: Support

**SF 136 PROPERTY TAX RELIEF-ASSESSMENT RATE ADJUSTMENT**—Reduces the assessment rate from 9.5% to 7.5%.

Status: Introduced

WSGA Position: Monitor

**SF 137 SUBDIVISIONS-FENCING REQUIREMENTS**—Any subdivider in an area where livestock can legally run at large would be required to construct a perimeter fence and be responsible for all costs.

Status: Introduced

WSGA Position: Strongly Support

**SF 156 OIL AND GAS FORCED POOLING-GOOD FAITH NEGOTIATIONS**—Requires an applicant for a drilling unit to negotiate in good faith with each mineral interest owner who is not subject to a lease.

Status: Received for Introduction

WSGA Position: Support

**SF 157 WEED AND PEST MITIGATION-TRIBAL INCLUSION**—Clarifies that the Eastern Shoshone and Northern Arapahoe may apply to participate in the emergency insect management program.

Status: Received for Introduction

WSGA Position: Support

**SJ 01 AMENDING WYOMING'S ACT OF ADMISSION FOR LEASES AND EARNINGS**—Calls upon Congress to amend Wyoming's Act of Admission as regards school trust lands to change references to "interest" and "income" to "earnings"; to remove restrictions on leasing including the 10 year limit on grazing and agricultural leases.

Status: Passed Senate

WSGA Position: Monitor

## **WSGA NOTES**

- ◆ A significant number of bills including HB16, HB17, HB 20 and HB22 address the management of state lands. The majority of these bills were brought forward by WSGA to address serious challenges that grazing and agricultural lessees of state lands have been facing in recent years. We urge our members to contact their legislators to seek their full support of this effort.
- ◆ Several bills including SF 33, SF 34 and SF 56 address trespass issues that impact private landowners. While more remains to be done in this arena, they are important steps forward and deserve support.
- ◆ There are numerous bills addressing the statewide concern over the impact of significant property tax burdens on homeowners. While WSGA has initially not taken a position on these bills because this issue is not addressed in our policies, we are monitoring the bills carefully and are prepared to engage to the extent that they might impact the agricultural community in a disproportionate manner.
- ◆ As of today approximately 400 bills and resolutions have been offered for introduction. WSGA anticipates that this number will increase over the next week. Bills that we will be tracking will be added to our report each week.
- ◆ To access all legislation, to view the legislative sessions or to participate virtually in committee meetings go to [State of Wyoming Legislature \(wyoleg.gov\)](http://StateofWyomingLegislature(wyoleg.gov)).

