

ORIGINAL SENATE  
FILE NO. 0070

ENROLLED ACT NO. 44, SENATE

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2006 BUDGET SESSION

AN ACT relating to public health; amending the definition of construction area for nursing care facilities; amending the construction limitation for nursing care facilities; and providing for an effective date.

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

**Section 1.** W.S. 35-2-901(a)(v) and 35-2-906(b) are amended to read:

**35-2-901. Definitions; applicability of provisions.**

(a) As used in this act:

(v) "Construction area" means ~~a thirty (30) mile radius~~ highway miles, from ~~the center of the closest community in Wyoming to a~~ any existing nursing care facility or hospital with swing beds to the site of the proposed nursing care facility, as determined by utilizing the state map prepared by the Wyoming department of transportation;

**35-2-906. Construction and expansion of facilities; exemption.**

(b) Nursing care facility beds shall not be expanded or constructed if the average of all the nursing care bed occupancy, excluding veteran administration beds, in the construction area is ~~eighty eight percent (88%) or less until January 1, 2004, then~~ eighty-five percent (85%) or less ~~thereafter~~ based upon the annual occupancy report prepared by the division.

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

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk