

WORKING DRAFT

SENATE FILE NO. _____

Urban renewal.

Sponsored by: Joint Agriculture, Public Lands and Water
Resources Interim Committee

A BILL

for

1 AN ACT relating to urban renewal; repealing urban renewal
2 agencies; repealing condemnation authority for urban
3 renewal agencies; making conforming changes; and providing
4 for an effective date.

5

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

7

8 **Section 1.** W.S. 15-9-108, 15-9-113(a)(ii),
9 15-9-120(a)(ii), 15-9-121, 15-9-127(b), 15-9-129, 15-9-130
10 and 15-9-137 are amended to read:

11

12 **15-9-108. Preliminary requirements for projects;**
13 **preparation of plan; review by commission.**

14

1 A municipality may prepare an urban renewal plan. ~~or have~~
2 ~~one prepared by the urban renewal agency established in~~
3 ~~W.S. 15-9-134.~~ Any person ~~or agency~~ may also submit an
4 urban renewal plan to a municipality. Prior to approving
5 an urban renewal project, the local governing body shall
6 submit the urban renewal plan to the planning commission of
7 the municipality, if any, for review and recommendations as
8 to its conformity with the general plan for the development
9 of the entire municipality. The planning commission shall
10 submit its written recommendations with respect to the
11 proposed urban plan to the local governing body within
12 thirty (30) days after receipt of the plan for review.
13 Upon receipt of the planning commission recommendations, or
14 if no recommendations are received within thirty (30) days,
15 the local governing body may proceed with the hearing on
16 the proposed urban renewal project in accordance with the
17 provisions of W.S. 15-9-109.

18

19 **15-9-113. General powers of municipality.**

20

21 (a) In addition to any other powers specified by law,
22 every municipality has all the powers necessary to carry
23 out the purposes and provisions of this chapter, including
24 the following powers:

1

2 (ii) To provide or to arrange or contract for
3 the furnishing or repair by any person or ~~agency~~public
4 body, public or private, of services, privileges, works,
5 streets, roads, public utilities or other facilities for or
6 in connection with an urban renewal project;

7

8 **15-9-120. Taxes upon property; authorized division**
9 **thereof.**

10

11 (a) Any urban renewal plan may contain a provision
12 that taxes, if any, levied upon taxable property in an
13 urban renewal project each year by or for the benefit of a
14 municipality in the state shall be divided as follows:

15

16 (ii) That portion of the levied taxes each year
17 in excess of the amount specified in paragraph (a)(i) of
18 this section shall be allocated to and, when collected,
19 paid into a special fund of the participating municipality
20 ~~or urban renewal agency~~ to pay the principal and interest
21 on loaned money advanced to, or any indebtedness incurred
22 by the municipality. ~~or urban renewal agency.~~ Unless the
23 total assessed valuation of the taxable property in an
24 urban renewal project exceeds the total assessed value of

1 the taxable property in the project as shown by the last
2 equalized assessment roll referred to in paragraph (a)(i)
3 of this section, all of the taxes levied and collected upon
4 the taxable property in the urban renewal project shall be
5 paid into the funds of the respective taxing agencies.
6 When any loans, advances and indebtedness, if any, and
7 interest have been paid in full, all monies thereafter
8 received from taxes upon the taxable property in the urban
9 renewal project shall be paid into the funds of the various
10 taxing agencies as taxes on all other property are paid.

11

12 **15-9-121. Taxes upon property; when pledging allowed.**

13

14 In any urban renewal plan or in proceedings for the advance
15 of monies or making of loans or the incurring of any
16 indebtedness by the municipality ~~or agency~~ to finance or
17 refinance in whole or in part the urban renewal project,
18 the portion of the taxes specified in W.S. 15-9-120(a)(ii)
19 may be irrevocably pledged for the payment of the principal
20 of and interest on those loans or advances or that
21 indebtedness.

22

1 **15-9-127. General obligation bonds; purposes;**
2 **authorization; approval; characteristics; other provisions**
3 **unaffected.**

4
5 (b) General obligation bonds issued by a municipality
6 for the purposes of aiding in the planning, undertaking or
7 carrying out of any urban renewal project and related
8 activities of a municipality, its board or commission, ~~or~~
9 ~~its agency under this chapter~~ shall be authorized by
10 resolution or ordinance of the local governing body and
11 shall be approved by a vote of the people residing in the
12 issuing governmental unit at an election called, conducted,
13 canvassed and returned in the manner provided for bond
14 elections by the Political Subdivision Bond Election Law,
15 W.S. 22-21-101 through 22-21-112.

16
17 **15-9-129. Exemption of property from execution;**
18 **exception.**

19
20 All property of a municipality, ~~or agency,~~ including funds
21 owned or held by it for the purposes of this chapter, are
22 exempt from levy and sale by virtue of any execution. No
23 execution or other judicial process shall issue against the
24 property nor shall judgment against a municipality ~~or~~

1 ~~agency~~ be a charge or lien upon the property. The
2 provisions of this section do not apply to or limit the
3 right of obligees to pursue any remedies for the
4 enforcement of any pledge or lien given pursuant to this
5 chapter by a municipality ~~or agency~~ on its rents, fees,
6 grants or revenues from urban renewal projects.

7
8 **15-9-130. Exemption of property from taxation;**
9 **termination thereof.**

10
11 The property of a municipality ~~or agency~~ acquired or held
12 for the purposes of this chapter, is public property used
13 for essential public and governmental purposes. The
14 property is exempt from all taxes of the municipality, the
15 county, the state or any political subdivision thereof.
16 However, the tax exemption terminates if the municipality
17 ~~or agency~~ sells, leases or otherwise disposes of the
18 property in any urban renewal area to a purchaser or lessee
19 which is not a public body entitled to tax exemption for
20 the property.

21
22 **15-9-137. Voluntary conflicts of interest prohibited;**
23 **disclosure of involuntary conflicts; violation.**

1 No public official or employee of a municipality, or board
2 or commission thereof, ~~and no commissioner or employee of~~
3 ~~an urban renewal agency vested by a municipality with urban~~
4 ~~renewal project powers under W.S. 15-9-133~~ shall
5 voluntarily acquire any personal interest, direct or
6 indirect, in any urban renewal project, or in any property
7 included or planned to be included in any urban renewal
8 project of that municipality or in any contract or proposed
9 contract in connection with that urban renewal project. If
10 the acquisition is not voluntary, the interest acquired
11 shall be immediately disclosed in writing to the local
12 governing body, and the disclosure shall be entered upon
13 the minutes thereof. If any official, commissioner or
14 employee presently owns or controls, or owned or controlled
15 within the preceding two (2) years, any interest, directly
16 or indirectly, in any property which he knows is included
17 or planned to be included in any urban renewal project, he
18 shall immediately disclose this fact in writing to the
19 local governing body. The disclosure shall be entered upon
20 the minutes of the governing body, and no such official,
21 commissioner or employee shall participate in any action by
22 the municipality, or board or commission thereof, ~~or urban~~
23 ~~renewal agency,~~ affecting the property. ~~Any disclosure~~
24 ~~required to be made by this section to the local governing~~

1 ~~body shall concurrently be made to an urban renewal agency~~
2 ~~which has been vested with urban renewal project powers by~~
3 ~~the municipality pursuant to this chapter.~~ Any violation
4 of the provisions of this section constitutes misconduct in
5 office.

6

7 **Section 2.** W.S. 15-9-103(a)(i), 15-9-113(a)(xvi),
8 15-9-131(d) and 15-9-133 through 15-9-136 are repealed.

9

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

14

15 (END)