

ENROLLED ACT NO. 31, SENATE

FIFTY-NINTH LEGISLATURE OF THE STATE OF WYOMING
2008 BUDGET SESSION

AN ACT relating to private roads; providing for certification of applications by the board of commissioners to the district court for hearing as specified; and providing for an effective date.

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

Section 1. W.S. 24-9-101 by creating new subsections (m) is amended to read:

24-9-101. Petition; initial hearing; appointment of viewers and appraisers; bond; rules; certification to district court.

(m) If at the completion of the hearing the board finds that the applicant has satisfied the requirements of this section and access is necessary because the applicant has no legally enforceable access, the board shall, within twenty (20) days of so finding, certify the application directly to the district court unless the board elects to retain jurisdiction. Notice of the board's certification shall be made in writing to the clerk of the district court and to all affected parties having an interest in the lands through which the proposed road or any alternative road may pass. The district court shall treat the certified application as a newly filed civil action upon payment of a filing fee by the applicant as provided in W.S. 5-3-206(a)(i).

ORIGINAL SENATE
FILE NO. 0076

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Section 2. This act is effective July 1, 2008.

(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