

HOUSE BILL NO. HB0058

Responsibilities of injectors and pore space owners.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to carbon sequestration; providing for the
2 responsibilities of injectors; providing for presumption of
3 ownership; providing for nonliability of persons with
4 interests in pore space and related surface and subsurface
5 rights; and providing for an effective date.

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

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9 **Section 1.** W.S. 34-1-153 is created to read:

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11 **34-1-153. Ownership of material injected into**
12 **geologic sequestration sites; liability for holding**
13 **interests related to a sequestration site or giving consent**
14 **to allow geologic sequestration activities.**

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16 (a) All carbon dioxide, and other substances injected
17 incidental to the injection of carbon dioxide, injected

1 into any geologic sequestration site for the purpose of
2 geologic sequestration shall be presumed to be owned by the
3 injector of such material and all rights, benefits, burdens
4 and liabilities of such ownership shall belong to the
5 injector. This presumption may be rebutted by a person
6 claiming contrary ownership by a preponderance of the
7 evidence in an action to establish ownership.

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9 (b) No owner of pore space, other person holding any
10 right to control pore space or other surface or subsurface
11 interest holder, shall be liable for the effects of
12 injecting carbon dioxide for geologic sequestration
13 purposes, or for the effects of injecting other substances
14 for the purpose of geologic sequestration which substances
15 are injected incidental to the injection of carbon dioxide,
16 solely by virtue of their interest or by their having given
17 consent to the injection.

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19 **Section 2.** This act is effective July 1, 2009.

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(END)