

ORIGINAL HOUSE  
BILL NO. 0079

ENROLLED ACT NO. 19, HOUSE OF REPRESENTATIVES

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2011 GENERAL SESSION

AN ACT relating to establishment of private roads; requiring notice of proposed alternative routes; amending time periods; and providing for an effective date.

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

**Section 1.** W.S. 24-9-101(b), (c) and (e) is amended to read:

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

(b) Within ten (10) days after filing an application with the board, the applicant shall give notice in writing by certified mail, with return receipt, to the affected parties of all lands over which any private road is applied for, of his pending application for a private road. The notice shall include a complete copy of the original application and any amendments thereto. Each affected party receiving notice under this subsection shall, within forty-five (45) days of receiving notice, provide written notice by certified mail with return receipt requested, to the board and the applicant of the location and description, in the manner described in paragraphs (a)(iv) and (v) of this section, of any alternate routes proposed by the affected party.

(c) The board shall review the application within ~~thirty (30)~~ eighty-five (85) days of its receipt and if the board finds the application contains the information required by subsection (a) of this section and notice has been provided in accordance with subsection (b) of this section, it shall schedule a hearing to determine whether the applicant has no legally enforceable access to his

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land. The hearing shall be scheduled ~~at a date that allows the applicant time to give all notice required under this section~~ not sooner than one hundred forty-five (145) days after the filing of the application with the board.

(e) After the board has scheduled a hearing date under subsection (c) of this section, the applicant shall give written notice of the date, time and place of the hearing on the application, by certified mail with return receipt, to all affected parties named in the original application, all landowners affected by any alternative routes proposed as provided in subsection (b) of this section and any other landowners the board believes may be affected by the application or by any alternative route which may be considered by the board. ~~or the viewers and appraisers.~~ The written notice shall include a copy of the original application and any amendments thereto and shall be provided at least ~~sixty (60)~~ forty-five (45) days prior to the pending hearing. If any affected party, including any landowner affected by any alternative route proposed as provided in subsection (b) of this section, is a nonresident, and there is no resident agent upon which personal service can be had, then the notice may be published once a week for three (3) weeks in a newspaper published in the county. The first publication shall be at least ~~sixty (60)~~ forty-five (45) days prior to the hearing.

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**Section 2.** This act is effective July 1, 2011.

(END)

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

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

\_\_\_\_\_  
Governor

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

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

I hereby certify that this act originated in the House.

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