

SENATE FILE NO. SF0107

Fire protection district powers.

Sponsored by: Senator(s) Burns, Boggs, Coe, Massie and
Nicholas and Representative(s) Berger,
Davison, Diercks, Hammons, Iekel, Landon,
Lubnau, McOmie and Warren

A BILL

for

1 AN ACT relating to fire protection districts; expanding the
2 powers of districts as specified; conforming related
3 provisions; and providing for an effective date.

4

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

6

7 **Section 1.** W.S. 15-5-201(a)(xvi), 15-5-402(a)(ix),
8 35-9-201, 35-9-203(a), 35-9-210(a)(ii) and
9 35-9-211(a)(ii)(intro) are amended to read:

10

11 **15-5-201. Definitions.**

12

13 (a) As used in this article:

14

1 (xvi) "Employer" means any incorporated
2 municipality, county or fire protection district offering
3 fire protection ~~service~~ or public safety services employing
4 one (1) or more ~~paid firemen~~ members.

5
6 **15-5-402. Definitions.**

7
8 (a) As used in this article:

9
10 (ix) "Employer" means any incorporated
11 municipality, county or fire protection district offering
12 fire protection ~~service~~ or public safety services employing
13 one (1) or more members;

14
15 **35-9-201. Applicability; powers of districts**
16 **generally.**

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18 This act shall apply to a fire protection district created
19 under the provisions of this act or under the provisions of
20 article 1, chapter 45, Wyoming Compiled Statutes, 1945, as
21 amended. Such fire protection district is hereby authorized
22 to provide protection from fire and other public safety
23 emergencies for all persons and property within its
24 boundaries, and to contract to give or receive such

1 protection to or from one (1) or more other municipal
2 corporations, private organizations or individuals.

3
4 **35-9-203. Powers and duties of board of directors**
5 **generally; administration of finances; assessment and levy**
6 **of taxes.**

7
8 (a) The board of directors of any fire protection
9 district is hereby authorized to enact such ordinances as
10 may be necessary to establish and operate a fire ~~department~~
11 protection district and shall file them with the county
12 clerk for each county in which the district is located. The
13 board of directors of fire protection districts shall
14 administer the finances of such districts according to the
15 provisions of the Wyoming Uniform Municipal Fiscal
16 Procedure Act. The assessor shall, at the time of making
17 the annual assessment of his county, also assess the
18 property of each fire protection district in his county and
19 return to the county assessor at the time of returning the
20 assessment schedules, separate schedules listing the
21 property of each fire protection district assessed by him.
22 The separate schedules shall be compiled by the county
23 assessor, footed, and returned to the board of county
24 commissioners as provided for other assessment schedules.

1

2 **35-9-210. District formation initiated by resolution**
3 **of county commissioners; procedures; conditions.**

4

5 (a) A fire protection district comprised of lands
6 within unincorporated areas of the county which are not
7 within existing fire protection districts may be created
8 under the following procedure:

9

10 (ii) If the establishment of the district is
11 defeated at the election, the board may refuse to provide
12 fire and public safety protection to the area within the
13 proposed district commencing with the succeeding fiscal
14 year. If a majority of the voters in the proposed district
15 voting at the election vote for the establishment of the
16 district, the board of county commissioners shall enter
17 that fact upon its records and the district is established.
18 Following establishment of the district, the board shall
19 hold an election for a district board of directors under
20 W.S. 35-9-202. Districts formed under this subsection are
21 otherwise subject to W.S. 35-9-201 through 35-9-208.

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23 **35-9-211. Formation of county commission fire**
24 **protection districts; procedures; conditions.**

1

2 (a) As an alternative to the procedures provided by
3 W.S. 35-9-210, a county commission fire protection district
4 comprised of lands within unincorporated areas of the
5 county which are not within existing fire protection
6 districts and which are currently receiving fire protection
7 from an existing fire department funded by the county may
8 be created under the following procedure:

9

10 (ii) If the establishment of the district is
11 defeated at the election, the board may refuse to provide
12 fire and public safety protection to the area within the
13 proposed district commencing with the succeeding fiscal
14 year. If a majority of the voters in the proposed district
15 voting at the election vote for the establishment of the
16 district, the board of county commissioners shall enter
17 that fact upon its records and the district is established.
18 Following establishment of the district:

19

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

5

6

(END)