

WORKING DRAFT

HOUSE BILL NO. _____

Subdivisions-exemptions.

Sponsored by: Joint Corporations, Elections and Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to subdivisions; providing an additional
2 holding period for the family exemption; providing an
3 additional exemption; clarifying application of zoning
4 regulations; providing for documentation; providing
5 conforming amendments; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 18-5-303(a) is amended to read:

10

11 **18-5-303. Exemptions from provisions.**

12

13 (a) Unless the method of sale or other disposition is
14 adopted for the purpose of evading the provisions of this
15 article, this article shall not apply to ~~any subdivision~~

1 the following subdivisions of land ~~that~~however, the
2 following subdivisions are subject to applicable zoning
3 regulations, including minimum lot sizes, adopted by a
4 board of county commissioners pursuant to W.S. 18-5-201
5 through 18-5-208 and other requirements which may be
6 adopted by the board of county commissioners regarding
7 documentation of the proper use and implementation of the
8 following exemptions:

9
10 (i) ~~Is~~A division of land made outside of
11 platted subdivisions for the purpose of a single gift or
12 sale to a member of the landowner's immediate family,
13 subject to the following requirements:

14
15 (C) The land shall have been titled in the
16 name of the grantor for a period of not less than five (5)
17 years prior to the division and parcels created under this
18 paragraph shall be titled in the name of the immediate
19 family member for whom the division is made for a period of
20 not less than one (1) year unless such parcels are subject
21 to involuntary transfer including, but not limited to,
22 foreclosure, death, judicial sale, condemnation or
23 bankruptcy;

24

1 (ii) A division which may be created by any
2 court of this state pursuant to the law of eminent domain,
3 by operation of law or by order of any court in this state;

4
5 (iii) A division which is created by a lien,
6 mortgage, deed of trust or any other security instrument,
7 easements and rights-of-way;

8
9 (iv) ~~Concerns~~Lands located within incorporated
10 cities or towns;

11
12 (v) A division which is created by the sale or
13 other disposition of land to the state of Wyoming or any
14 political subdivision thereof;

15
16 (vi) A division which affects railroad
17 rights-of-way;

18
19 (vii) A division which is a sale or other
20 disposition of land for agricultural purposes or affects
21 the alignment of property lines for agricultural purposes;

22
23 (viii) A division which is created by boundary
24 line adjustments where the parcel subject of the sale or

1 other disposition is adjacent to and merged with other land
2 owned by the grantee;

3

4 (ix) A division which creates cemetery lots;

5

6 (x) A division which is created by the
7 acquisition of an interest in land in the name of the
8 husband and wife or other persons in joint tenancy or as
9 tenants in common, and the interest shall be deemed for
10 purposes of this subsection as only one (1) interest;~~;~~

11

12 (xi) A division of land creating a parcel five
13 (5) acres or less for the purpose of establishing unmanned
14 communication facilities, compressor stations, metering
15 stations, fiber optic booster stations or similar unmanned
16 facilities.

17

18 **Section 2.** This act is effective July 1, 2007.

19

20

(END)