

HOUSE BILL NO. HB0135

State lands-improvements-2.

Sponsored by: Representative(s) Greear, Moniz and Semlek
and Senator(s) Bebout and Geis

A BILL

for

1 AN ACT relating to state lands; providing for registration
2 of improvements as specified; providing for compensation
3 for registered improvements; providing for a fee; providing
4 for rules and regulations; and providing for an effective
5 date.

6

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

8

9 **Section 1.** W.S. 36-3-102(c)(iii) and 36-5-110 are
10 amended to read:

11

12 **36-3-102. Duties generally.**

13

14 (c) The board shall have authority to override any
15 decision made by the director. Upon such terms and
16 conditions as shall be established by the board, in

1 addition to other powers enumerated in this section, the
2 director shall have authority to:

3

4 (iii) Approve applications to construct
5 improvements within criteria established by the board
6 pursuant to W.S. ~~36-5-110~~ 36-5-110(a) and 36-5-111;

7

8 **36-5-110. Right to make and remove improvements.**

9

10 (a) A lessee of state lands shall have the right to
11 construct or make improvements upon state lands in the
12 amount of two thousand dollars (\$2,000.00) per section,
13 without first obtaining permission. If the lessee or any
14 other person desires to construct or make improvements upon
15 state lands in excess of the value of two thousand dollars
16 (\$2,000.00) per section, he shall file an application for
17 permission to construct or make the improvements with the
18 director, which shall be subject to allowance or rejection
19 as the best interests of the state require. The director
20 shall have authority to grant permission to construct
21 improvements in excess of two thousand dollars (\$2,000.00)
22 for fencing, water development, livestock handling
23 facilities and range enhancements. Any other improvement
24 in excess of two thousand dollars (\$2,000.00) shall be

1 applied for under a special use permit. Unless permission
2 has been obtained in the manner provided by this section or
3 the improvement has been registered as provided in
4 subsection (b) of this section, the owner of the
5 improvements in excess of the value of two thousand dollars
6 (\$2,000.00) per section shall not be entitled to
7 compensation therefor as provided by W.S. 36-5-111 and
8 36-9-105, and upon the expiration of the lease the
9 improvements shall forfeit to and become the property of
10 the state; except, that within one hundred twenty (120)
11 days from the date of the expiration of the lease, the
12 owner may remove such improvements in a manner which
13 minimizes injury to the land.

14
15 (b) Notwithstanding subsection (a) of this section, a
16 lessee of state lands may register improvements made upon
17 state lands which were made without prior approval by the
18 director. Improvements registered under this subsection
19 may include improvements valued at two thousand dollars
20 (\$2,000.00) or less per section for which prior approval
21 was not required or improvements valued in excess of two
22 thousand dollars (\$2,000.00) which were made prior to
23 January 1, 2006 and for which approval was not applied for
24 pursuant to subsection (a) of this section. Improvements

1 valued in excess of two thousand dollars (\$2,000.00) for
2 which permission was denied under subsection (a) of this
3 section shall not be registered under this subsection. The
4 board shall require a registration fee not to exceed
5 twenty-five dollars (\$25.00) for each improvement
6 registered under this section as provided by rule and
7 regulation. Improvements registered under this subsection
8 shall be entitled to compensation therefor as provided by
9 W.S. 36-5-111 and 36-9-105.

10
11 **Section 2.** This act is effective July 1, 2011.

12
13 (END)