

SENATE FILE NO. SF0069

Eminent domain-private roads.

Sponsored by: Senator(s) Case

A BILL

for

1 AN ACT relating to eminent domain; specifying limitations
2 on exercise of eminent domain to designate private roads as
3 public county roads; conforming county commissioner powers
4 accordingly; and providing for an effective date.

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

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8 **Section 1.** W.S. 1-26-504 by creating a new subsection
9 (d) and 18-3-504(a)(vi) are amended to read:

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11 **1-26-504. Requirements to exercise eminent domain.**

12

13 (d) Eminent domain shall not be exercised to
14 designate a private road as a public county road if use of
15 the private road is available to additional private parties
16 under conditions and requirements substantially similar for
17 the additional and existing users.

1

2 **18-3-504. Powers and duties generally.**

3

4 (a) Each board of county commissioners may:

5

6 (vi) Lay out, alter or discontinue any road
7 running through the county and for such purpose acquire the
8 use of lands therein either by gift, prescription,
9 dedication, the exercise of the right of eminent domain,
10 purchase or lease and perform such other duties respecting
11 roads as required by law. Eminent domain shall not be
12 exercised to designate a private road as a public county
13 road if use of the private road is available to additional
14 private parties under conditions and requirements
15 substantially similar for the additional and existing
16 users;

17

18 **Section 2.** This act is effective July 1, 2012.

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(END)