

HOUSE BILL NO. HB0029

Revisor's bill.

Sponsored by: Management Council

A BILL

for

1 AN ACT relating to revision of inadvertent errors;
 2 correcting statutory references and language resulting from
 3 inadvertent errors and omissions in previously adopted
 4 legislation; repealing a duplicative provision; specifying
 5 applicability; 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. 2-1-205(d), 9-4-719(b),
 10 21-13-330(g)(vi), 22-24-306(b), 22-24-307,
 11 26-11-116(a)(viii), 39-15-108(b)(ii)(A) and (B), 40-27-101
 12 by creating a new subsection (g) and 42-6-105(a)(vi) and
 13 (c) are amended to read:

14

15 **2-1-205. Summary procedure for distribution of**
 16 **personal or real property; application for decree; notice**

1 **by publication; presumptive evidence of title; effect of**
2 **false statements.**

3
4 (d) A notice of application for a decree of summary
5 distribution of property shall be published once a week for
6 two (2) consecutive weeks in a newspaper of general
7 circulation in the county in which the application was
8 filed. The notice of application shall be served by first
9 class mail to the last known address, with copy of
10 application attached, to the surviving spouse of the
11 decedent, if any, and to all other distributees, so far as
12 known, or to their guardians if any of them are minors, or
13 to their personal representatives if any of them are
14 deceased and to any reasonably ascertainable creditors ~~no~~
15 ~~less~~not later than ten (10) days after the date of first
16 publication.

17

18 **9-4-719. Investment earnings spending policy**
19 **permanent funds.**

20

21 (b) There is created the permanent Wyoming mineral
22 trust fund reserve account. Beginning July 1, 2016 for
23 fiscal year 2017 and each fiscal year thereafter, the state

1 treasurer shall transfer unobligated funds from this
2 account to the general fund as necessary to ensure that an
3 amount equal to ~~the spending policy amount specified in~~
4 ~~subsection (d) of this section~~ two and one-half percent
5 (2.5%) of the previous five (5) year average market value
6 of the permanent Wyoming mineral trust fund, calculated on
7 the first day of the fiscal year, ~~reduced by the amount~~
8 ~~credited to the legislative stabilization reserve account~~
9 ~~and the strategic investments and projects account by~~
10 ~~subsection (q) of this section,~~ is available for
11 expenditure annually during each fiscal year. As soon as
12 possible after the end of each of the fiscal years
13 beginning on and after July 1, 2000, revenues in this
14 account in excess of ninety percent (90%) of the spending
15 policy amount in subsection (d) of this section shall be
16 credited to the permanent Wyoming mineral trust fund.

17

18 **21-13-330. Distance education; program content;**
19 **distance learning plan required; students within ADM of**
20 **resident district; agreements with districts authorized.**

21

22 (g) A resident school district providing distance
23 education for any student shall:

1

2 (vi) Verify the distance education program
3 received by the participating student complies with and
4 fulfills the state education program established by W.S.
5 21-9-101 and 21-9-102 and rule and regulation of the state
6 ~~board~~superintendent under W.S. 21-2-202(a)(xxxi) and that
7 the program otherwise meets district program standards;

8

9 **22-24-306. Sponsors and circulators.**

10

11 (b) The committee of ~~sponsors~~applicants shall file
12 ~~receipt~~contribution and expenditure reports as required by
13 W.S. 22-25-106.

14

15 **22-24-307. Review by secretary of state; conditional**
16 **certification.**

17

18 Within seven (7) calendar days after receiving a final
19 proposed bill, the secretary of state shall review the
20 proposed bill and its associated application and shall
21 either conditionally certify it, pending submission of the
22 qualified signatures required by W.S. ~~22-24-304(e)~~

1 22-24-304(c), or notify the committee of applicants in
2 writing of the grounds for denial.

3

4 **26-11-116. Records of broker; contents; examination.**

5

6 (a) Each surplus lines broker shall keep in his
7 office a full and true record of each surplus lines
8 insurance contract placed by or through the broker for
9 which this state is the home state of the insured,
10 including a copy of the policy, certificate, cover note or
11 other evidence of insurance showing each of the following
12 applicable items:

13

14 (viii) Brief general description of the property
15 or risk insured and where located or to be performed; ~~and~~

16

17 **39-15-108. Enforcement.**

18

19 (b) Interest. The following shall apply:

20

21 (ii) If the sales or use tax on a vehicle,
22 including local option sales or use tax, under W.S.
23 39-15-101 through 39-15-211 or 39-16-101 through 39-16-211,

1 is not paid within sixty-five (65) days after the date of
2 the sale, or in the case of a motor vehicle brought into
3 this state, sixty-five (65) days after the vehicle is
4 brought into the state if the owner submits to the county
5 treasurer an affidavit and any other satisfactory proof as
6 necessary to verify the date the vehicle was brought into
7 the state:

8
9 (A) Interest shall accrue at the rate of
10 one percent (1%) per month or fractional portion thereof
11 from the ~~fiftieth~~sixty-fifth day after the date of sale
12 until the date of payment of all sales tax interest and
13 civil fees due. County treasurers shall collect interest
14 due under this subsection which shall be forwarded to the
15 department and credited to the state general fund;

16
17 (B) A civil fee of twenty-five dollars
18 (\$25.00) from the ~~fiftieth~~sixty-fifth day through the
19 ~~sixtieth~~seventy-fifth day after the date of sale shall
20 also be assessed by the county treasurer under this
21 paragraph. If all sales tax, interest and civil fees due
22 are not paid by the ~~sixtieth~~seventy-fifth day, the civil
23 fee shall be the twenty-five dollar (\$25.00) amount or ten

1 percent (10%) of the amount of tax due, whichever is
2 greater, and shall be assessed by the county treasurer.
3 Civil fees collected under this subparagraph shall be
4 credited to the general fund of the county which makes the
5 collection;

6

7 **40-27-101. Trespass to unlawfully collect resource**
8 **data; unlawful collection of resource data.**

9

10 (g) As used in this section:

11

12 (i) "Collect" means to take a sample of
13 material, acquire, gather, photograph or otherwise preserve
14 information in any form from private open land which is
15 submitted or intended to be submitted to any agency of the
16 state or federal government;

17

18 (ii) "Open land" means land outside the exterior
19 boundaries of any incorporated city, town, subdivision
20 approved pursuant to W.S. 18-5-308 or development approved
21 pursuant to W.S. 18-5-403;

22

1 (iii) "Peace officer" means as defined by W.S.
2 7-2-101;

3
4 (iv) "Resource data" means data relating to land
5 or land use, including but not limited to data regarding
6 agriculture, minerals, geology, history, cultural
7 artifacts, archeology, air, water, soil, conservation,
8 habitat, vegetation or animal species. "Resource data"
9 does not include data:

10

11 (A) For surveying to determine property
12 boundaries or the location of survey monuments;

13

14 (B) Used by a state or local governmental
15 entity to assess property values;

16

17 (C) Collected or intended to be collected
18 by a peace officer while engaged in the lawful performance
19 of his official duties.

20

21 **42-6-105. Adult foster care homes; licensure;**
22 **suspension or revocation.**

23

1 (a) The department may initiate and license an adult
2 foster care pilot project subject to the following:

3
4 (vi) The pilot program shall consist of no more
5 than ten (10) adult ~~care~~-foster care homes. At least three
6 (3) of the homes shall be in counties with a population of
7 thirty thousand (30,000) or less.

8
9 (c) If, in the professional judgment of the state
10 health officer, there is a clear and present threat to the
11 health or safety of a resident client, the state health
12 officer may close an adult ~~care~~-foster care home and
13 transfer the residents to another place. The department
14 shall also initiate proceedings pursuant to subsection (b)
15 of this section within three (3) working days.

16

17 **Section 2.** W.S. 40-27-101(e) is repealed.

18

19 **Section 3.** Any other act adopted by the Wyoming
20 legislature during the same session in which this act is
21 adopted shall be given precedence and shall prevail over
22 the amendments in this act to the extent that such acts are
23 in conflict with this act.

1

2

Section 4. This act is effective July 1, 2016.

3

4

(END)