

HOUSE BILL NO. HB0141

Coal-fired facility closures litigation funding-amendments.

Sponsored by: Representative(s) Haroldson, Barlow, Bear, Blackburn, Clausen, Hallinan, Jennings, Neiman, Ottman, Western and Williams and Senator(s) Biteman, Driskill, Hicks and McKeown

A BILL

for

1 AN ACT relating to the administration of government;
2 amending permissible purposes and uses of a previous
3 appropriation for purposes of commencing and prosecuting
4 lawsuits against states for impeding Wyoming's ability to
5 export coal and impeding the operation of coal-fired
6 electric generation facilities in the United States; making
7 conforming amendments; and providing for an effective date.

8

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

10

11 **Section 1.** 2021 Wyoming Session Laws, Chapter 112,
12 Sections 2 and 3(a)(i) and (ii) is amended to read:

13

1 **Section 2.** There is appropriated one
2 million two hundred thousand dollars
3 (\$1,200,000.00) from the general fund to the
4 office of the governor for purposes of
5 intervening in, defending, commencing and
6 prosecuting lawsuits against the federal
7 government and its agencies and other states and
8 other states' agencies that enact and enforce
9 laws, and regulations, or other actions by the
10 federal government, other states or third parties
11 that impermissibly impede Wyoming's ability to
12 export coal, ~~or~~ that cause the early retirement
13 of coal-fired generation facilities located in
14 Wyoming or that result in the decreased use of
15 Wyoming coal or the closure of coal-fired
16 electric generation facilities that use Wyoming
17 coal. This appropriation shall be for the period
18 beginning with the effective date of this act and
19 ending June 30, 2030. This appropriation shall
20 not be transferred or expended for any other
21 purpose and any unexpended, unobligated funds
22 remaining from this appropriation shall revert as
23 provided by law on June 30, 2030. There is

1 created an account within the office of the
2 governor into which the funds appropriated under
3 this section as created by this act shall be
4 deposited. The funds in the account shall be
5 continuously appropriated to the office of the
6 governor for the purposes of funding any
7 litigation expenses incurred in accordance with
8 this act.

9
10 **Section 3.**

11
12 (a) On or before October 1, 2021 and each
13 year thereafter until October 1, 2030, the
14 governor and the attorney general shall report to
15 the joint appropriations committee and the joint
16 minerals, business and economic development
17 interim committee on:

18
19 (i) The expenditure of any funds
20 appropriated in section 2 of this act for
21 litigation to challenge laws or other actions
22 that impede the export of Wyoming coal or the
23 continued operation of Wyoming's coal-fired

1 electric generation facilities, including early
2 retirements of those facilities, and for any
3 litigation in which the state has intervened in,
4 commenced, defended or prosecuted in accordance
5 with section 2 of this act;

6
7 (ii) The status of any litigation
8 initiated, intervened in, defended, prosecuted or
9 concluded using the funds appropriated in section
10 2 of this act. The governor and attorney general
11 may present the information required by this
12 paragraph in executive session;

13
14 **Section 2.** This act is effective immediately upon
15 completion of all acts necessary for a bill to become law
16 as provided by Article 4, Section 8 of the Wyoming
17 Constitution.

18

19 (END)