

## HOUSE BILL NO. HB0069

Coal-fired facility closures litigation funding-amendments.

Sponsored by: Representative(s) Larsen, L and Knapp and  
Senator(s) Barlow and Dockstader

A BILL

for

1 AN ACT relating to the administration of government;  
2 amending permissible purposes and uses of a previous  
3 appropriation for commencing and prosecuting lawsuits  
4 against states relating to coal exportation and coal-fired  
5 electric generation facilities; making conforming  
6 amendments; and providing for an effective date.

7

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

9

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

12

13 **Section 2.** There is appropriated one  
14 million two hundred thousand dollars  
15 (\$1,200,000.00) from the general fund to the

1 office of the governor for purposes of  
2 intervening in, defending, commencing and  
3 prosecuting lawsuits against the federal  
4 government and its agencies and other states and  
5 other states' agencies and local governments that  
6 enact and enforce laws, and regulations, or other  
7 actions by the federal government, other states,  
8 local governments or third parties including a  
9 corporation, partnership or other unincorporated  
10 association that impermissibly impede Wyoming's  
11 ability to export coal, ~~or~~ that cause the early  
12 retirement of coal-fired generation facilities  
13 located in Wyoming or that result in the  
14 decreased use of Wyoming coal or the closure of  
15 coal-fired electric generation facilities that  
16 use Wyoming coal. This appropriation shall be for  
17 the period beginning with the effective date of  
18 this act and ending June 30, 2030. This  
19 appropriation shall not be transferred or  
20 expended for any other purpose and any  
21 unexpended, unobligated funds remaining from this  
22 appropriation shall revert as provided by law on  
23 June 30, 2030. There is created an account within

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

8

9 **Section 3.**

10

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

17

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

1 retirements of those facilities, and any  
2 litigation the state has intervened in,  
3 commenced, defended or prosecuted in accordance  
4 with section 2 of this act;

5  
6 (ii) The status of any litigation  
7 initiated, intervened in, defended, prosecuted or  
8 concluded using the funds appropriated in section  
9 2 of this act. The governor and attorney general  
10 may present the information required by this  
11 paragraph in executive session;

12  
13 **Section 2.** This act is effective immediately upon  
14 completion of all acts necessary for a bill to become law  
15 as provided by Article 4, Section 8 of the Wyoming  
16 Constitution.

17  
18 (END)