

HOUSE BILL NO. HB0267

Conveyances to United States-right of refusal by state.

Sponsored by: Representative(s) Knapp

A BILL

for

1 AN ACT relating to property; granting the state of Wyoming
2 the right of first refusal for real property conveyances to
3 the United States and federal agencies; specifying
4 conditions for the purchase of property by exercising the
5 right of first refusal; specifying duties for property
6 owners and the board of land commissioners; providing a
7 continuous appropriation; providing definitions; making
8 conforming amendments; and providing for an effective date.

9

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

11

12 **Section 1.** W.S. 34-1-158 and 36-2-111 are created to
13 read:

14

15 **34-1-158. Conveyances to the United States; right of**
16 **first refusal to state; landowner notices; requirements.**

1

2 (a) As used in this section:

3

4 (i) "Board" means the board of land
5 commissioners;

6

7 (ii) "Director" means the director of the office
8 of state lands and investments;

9

10 (iii) "Property" means all interests in real
11 property and shall include land, mineral rights and water
12 rights;

13

14 (iv) "United States" means the United States,
15 the federal government and any agency or office of the
16 federal government.

17

18 (b) The state of Wyoming shall have the right of
19 first refusal for any sale, grant or award of property to
20 the United States.

21

22 (c) Before entering into an agreement or contract to
23 sell or otherwise grant property to the United States, the

1 owner of the property shall, not less than forty-five (45)
2 days before entering into the agreement or contract,
3 provide notice in writing to the director and the board
4 that includes notice of the purchase agreement or contract,
5 details of the property to be conveyed in the agreement or
6 contract, the appraised value of the property if known and
7 the agreed-upon purchase price for the property.

8

9 (d) Not later than thirty (30) days after receiving a
10 notice from a property owner under subsection (c) of this
11 section, the board shall, through the director, respond to
12 the notice by:

13

14 (i) Declining to exercise the right of first
15 refusal granted in subsection (b) of this section; or

16

17 (ii) Declaring that the board intends to
18 exercise the right of first refusal on the property and
19 purchase the property, subject to subsection (e) of this
20 section.

21

1 (e) A purchase of property upon exercising the right
2 of first refusal under this section shall comply with all
3 of the following:

4

5 (i) The purchase price to be paid for the
6 property shall not exceed the amount offered by the United
7 States for the property or, if the property is to be
8 granted or donated to the United States without
9 consideration, the fair market value of the property. The
10 board may negotiate with the property owner to purchase the
11 property at a lower price than the maximum price specified
12 in this paragraph;

13

14 (ii) The purchase shall be made from funds
15 appropriated in subsection (f) of this section or from
16 another legislative appropriation;

17

18 (iii) Not later than ten (10) days after
19 exercising the right of first refusal under this section,
20 the director shall report to the joint appropriations
21 committee on the property to be purchased and the known or
22 estimated purchase price;

23

1 (iv) Upon completing the purchase, the land
2 shall be managed by the board as state lands as defined by
3 W.S. 36-1-101. The board may take any action in managing
4 property purchased under this section as authorized by
5 statute, including selling, leasing or exchanging the land
6 in accordance with law.

7
8 (f) There is continuously appropriated to the board
9 from any unexpended, unobligated funds in the legislative
10 stabilization reserve account an amount not to exceed the
11 purchase price of property specified in paragraph (e)(i) of
12 this section. Before expending funds appropriated in this
13 subsection, the board shall report to the joint
14 appropriations committee as required by paragraph (e)(iii)
15 of this section. The board shall not expend funds from the
16 continuous appropriation if other appropriated funds are
17 available for the purchase of the property under this
18 section.

19

20 **36-2-111. Right of first refusal of conveyances to**
21 **the United States; duties of board.**

22

1 The board shall review all notices of property conveyances
2 to the United States that the board receives under W.S.
3 34-1-158 and shall respond to each notice in accordance
4 with W.S. 34-1-158.

5

6 **Section 2.** W.S. 36-3-102 by creating a new subsection
7 (e) is amended to read:

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9 **36-3-102. Duties generally.**

10

11 (e) The director shall receive all notices of
12 property conveyances to the United States under W.S.
13 34-1-158 and immediately forward each notice to the board
14 for the board's consideration of exercising a right of
15 first refusal under W.S. 34-1-158. The director shall offer
16 any assistance to the board as necessary to help the board
17 make a determination on exercising the right of first
18 refusal in accordance with W.S. 34-1-158.

19

20 **Section 3.** This act is effective July 1, 2023.

21

22

(END)