



HB0192

Public utilities-wildfire mitigation and liability limits.

Sponsored By: Representative(s) Larson, JT, Campbell, E, Lawley, Thayer and Wylie and Senator(s) Barlow, Dockstader, Jones and Schuler

AN ACT relating to public utilities; requiring public utilities to prepare and submit wildfire mitigation plans; specifying procedures for the submission and review of wildfire mitigation plans; specifying how costs associated with wildfire mitigation plans may be recovered; specifying limits for liability and damages for public utilities related to wildfires; requiring rulemaking; specifying applicability; and providing for effective dates.

1/15/2025 Bill Number Assigned
1/16/2025 H Received for Introduction
1/21/2025 H Introduced and Referred to H09 - Minerals
2/5/2025 H09 - Minerals:Recommend Amend and Do Pass 8-0-1-0-0

ROLL CALL

Ayes: Representative(s) Campbell, Heiner, Knapp, Larson, Lawley, Schmid, Tarver, Webber

Excused: Representative Riggins

Ayes 8 Nays 0 Excused 1 Absent 0 Conflicts 0

2/5/2025 H Placed on General File

HB0192HS001/ADOPTED

Page 6-after line 21 Insert and renumber as necessary:

"(xii) Input from the Wyoming state forestry division of the office of state lands and investments, an association representing Wyoming rural firefighters and any other appropriate federal, state or local fire entity."

Page 8-after line 21 Insert and renumber as necessary:

"(b) An electric utility and a landowner with an alleged wildfire related claim shall negotiate in good faith before any landowner files a civil action against the electric utility. During negotiations, an electric utility shall respond to a landowner not later than ninety (90) days after receipt of the landowner's submission of itemized damages."

Page 9-line 1 Delete "(b)" and insert "(c)".

Page 10-line 1 Delete "(c)" and insert "(d)".

Page 10-lines 13 and 14 Delete entirely and insert "damages unless the plaintiff's claim is based on the injury or death of any person in a wildfire;". HEINER, CHAIRMAN

HB0192HW001/ADOPTED

Page 7-line 9 After "receipt" insert ", unless the commission deems it is necessary to continue the implementation of the wildfire mitigation plan for a longer period of time and the commission has entered an order confirming the

continuance and stating the facts making the continuance necessary". LARSON, JT

2/10/2025 H COW:Passed
2/11/2025 H 2nd Reading:Passed

HB0192H3001/FAILED

Page 10-lines 12 through 14 Delete entirely, including the House standing committee amendment (HB0192HS001/A) to these lines, and insert:

"(iii) A plaintiff may recover noneconomic losses, including pain and suffering, emotional distress and loss of enjoyment of property, if the plaintiff demonstrates by clear and convincing evidence that the electric utility:

(A) Engaged in gross negligence or willful misconduct in violation of industry safety standards; or

(B) Failed to take reasonable steps to prevent a wildfire when a known hazard existed.". LIEN

HB0192H3002/FAILED

Page 10-after line 19 Insert and renumber as necessary:

"(e) An electric utility shall recover not more than eighty percent (80%) of the total costs of an approved wildfire mitigation plan through rate adjustments to consumers. Not less than twenty percent (20%) of the costs shall be borne by the electric utility to ensure financial accountability and incentive-based risk management.". LIEN

2/12/2025 H 3rd Reading:Passed 52-8-2-0-0

ROLL CALL

Ayes: Representative(s) Angelos, Banks, Bratten, Brown, L, Byron, Campbell, E, Campbell, K, Chestek, Clouston, Connolly, Davis, Eklund, Erickson, Filer, Geringer, Guggenmos, Haroldson, Harshman, Heiner, Hoeft, Jarvis, Johnson, Kelly, Knapp, Larsen, Larson, Lawley, Locke, Lucas, Mccann, Neiman, Nicholas, Ottman, Pendergraft, Posey, Provenza, Rodriguez-Williams, Schmid, Sherwood, Singh, Storer, Strock, Styvar, Tarver, Thayer, Washut, Webb, Webber, Wharff, Williams, Winter, Wylie

Nays: Representative(s) Allemand, Andrew, Bear, Brady, Brown, G, Lien, Wasserburger, Yin

Excused: Representative(s) Riggins, Smith

Ayes 52 **Nays** 8 **Excused** 2 **Absent** 0 **Conflicts** 0

2/13/2025 S Received for Introduction

2/14/2025 S Introduced and Referred to S07 - Corporations

2/21/2025 S07 - Corporations:Recommend Amend and Do Pass 4-0-1-0-0

ROLL CALL

Ayes: Senator(s) Boner, Case, Dockstader, Landen

Excused: Senator Steinmetz

Ayes 4 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

2/21/2025 S Placed on General File

HB0192SS001/ADOPTED

(TO ENGROSSED COPY)

Page 7-line 3

After "firefighters" insert ", counties".

Page 7-after line 4

Insert:

"(b) Not later than five (5) business days after a fire mitigation plan is submitted to the public service commission for approval under W.S 37-3-404(a), the electric utility shall provide direct notice that a wildfire mitigation plan has been filed with the public service commission to the Wyoming association of conservation districts, Wyoming association of municipalities and the counties in the electric utility's Wyoming service territories."

Page 11-line 14

Delete "original"; delete "made before July 1, 2025" and insert "or the terms in any other agreements between electric utilities and third parties for the shared use of facilities". CASE, CHAIRMAN

HB0192SW001/FAILED

(TO ENGROSSED COPY)

Page 9-lines 9 through 15

Delete entirely and renumber as necessary.

Page 9-line 17

Delete "(c)" and insert "(b)".

Page 10-line 15

Delete "(d)" and insert "(c)". CASE

HB0192SW002/ADOPTED

(TO ENGROSSED COPY)

Page 10-line 3

Delete "shall" and insert "may".

Page 10-line 9

After "plan" insert "and the denial or delay was a proximate cause of the damages to the plaintiff. A denial or delay shall not be deemed a proximate cause of the damages unless the electric utility made reasonable efforts to enforce their easement access rights within a reasonable time.". CASE

2/26/2025 S COW:Passed

HB0192S2001/ADOPTED

(TO ENGROSSED COPY)

Page 3-line 4

After "**plans;**" insert "**preemption;**".

Page 3-line 7

Before "Nothing" insert "(a)".

Page 3-after line 9

Insert:

"(b) Wildfire mitigation plans approved by the commission shall preempt any part of a local land use plan or ordinance that would impede or preclude an electric utility from implementing the wildfire mitigation plan.". HICKS

HB0192S2002/ADOPTED

(TO ENGROSSED COPY)

Page 7-after line 4

In the Senate standing committee amendment (HB0192SS001/AE) to this line, in subsection (b) created by that amendment, delete "the Wyoming association of conservation districts, Wyoming association of municipalities and the" and insert "all conservation districts, municipalities and". HICKS

2/27/2025 S 2nd Reading:Passed

HB0192S3001/ADOPTED**(TO ENGROSSED COPY)**

Page 10-line 3

Delete the second Case committee of the whole amendment (HB0192SW002/AE) to this line.

Page 10-line 11

After "with" insert "gross negligence,".

Page 10-line 15

After "action" insert "filed under subsection (c) of this section".

Page 11-after line 10 Insert:

"(e) Nothing in this section shall be construed to apply to any action against an electric utility for:

(i) Any act or omission taken by the electric utility that is not addressed or covered in the electric utility's wildfire mitigation plan;

(ii) Any act or omission taken by the electric utility that causes damages or losses not caused or created by a wildfire.". CRAGO, DOCKSTADER

HB0192S3002/WITHDRAWN

2/28/2025 S 3rd Reading:Passed 29-0-1-0-1

ROLL CALL

Ayes: Senator(s) Anderson, Barlow, Biteman, Boner, Brennan, Case, Cooper, Crago, Crum, Dockstader, Driskill, French, Gierau, Hicks, Hutchings, Ide, Jones, Landen, Laursen, Mckeown, Olsen, Pappas, Pearson, Rothfuss, Salazar, Schuler, Scott, Smith, Steinmetz

Excused: Senator Kolb**Conflicts:** Senator Nethercott**Ayes 29 Nays 0 Excused 1 Absent 0 Conflicts 1**

2/28/2025 H Received for Concurrence

2/28/2025 H Concur:Passed 57-0-5-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Andrew, Angelos, Banks, Bear, Brady, Bratten, Brown, G, Byron, Campbell, K, Chestek, Clouston, Connolly, Davis, Eklund, Erickson, Filer, Geringer, Guggenmos, Haroldson, Harshman, Heiner, Jarvis, Johnson, Kelly, Knapp, Larsen, Larson, Lawley, Lien, Locke, Lucas, Mccann, Neiman, Ottman, Pendergraft, Posey, Provenza, Riggins, Rodriguez-Williams, Schmid, Sherwood, Singh, Smith, Storer, Strock, Styvar, Tarver, Thayer, Washut, Wasserburger, Webb, Webber, Wharff, Williams, Wylie, Yin

Excused: Representative(s) Brown, L, Campbell, E, Hoeft, Nicholas, Winter**Ayes 57 Nays 0 Excused 5 Absent 0 Conflicts 0**

2/28/2025 Assigned Number HEA No. 0058

3/3/2025 H Speaker Signed HEA No. 0058

3/3/2025 S President Signed HEA No. 0058

3/6/2025 Governor Signed HEA No. 0058

3/6/2025 Assigned Chapter Number 119

Chapter No. 119 Session Laws of Wyoming 2025