

ORIGINAL HOUSE  
BILL NO. HB0219

ENROLLED ACT NO. 59, HOUSE OF REPRESENTATIVES

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING  
2025 GENERAL SESSION

AN ACT relating to state lands; providing a perpetual easement over state and school lands for county and municipal roads; specifying requirements for easements; specifying duties for the board of land commissioners and the office of state lands and investments; making conforming amendments; providing legislative findings; requiring rulemaking; and providing for an effective date.

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

**Section 1.** W.S. 36-9-121 is created to read:

**36-9-121. County and municipal roads on state lands; easements granted; duties.**

(a) As used in this section:

(i) "County road" means a road that is established pursuant to W.S. 24-3-101 through 24-3-127, identified pursuant to W.S. 24-3-201 through 24-3-206 or a road for which the county is responsible for improvements and maintenance as designated by resolution of a board of county commissioners;

(ii) "Municipal road" means a road that is established by a city or town and for which the city or town is responsible for improvements and maintenance.

(b) Subject to subsection (h) of this section, a perpetual easement for a right-of-way over and across any state or school lands is hereby granted for county roads and municipal roads that go over and across any state or school lands and that were established before January 1, 2025.

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(c) No fee, charge, assessment or other cost shall be imposed on any county, city or user of a municipal road or county road for the perpetual easement granted under subsection (b) of this section.

(d) Not later than August 1, 2025, the director shall provide to the board a listing of all county and municipal roads that go on or across state lands or school lands and all documents necessary for establishing or securing the easements granted in subsection (b) of this section. The director may request any documentation from counties, cities and towns as necessary to secure the easements, provided that the board shall be responsible for all costs associated with the documentation required under this subsection.

(e) Not later than October 31, 2025:

(i) The board shall promulgate or amend rules as necessary to provide for the easements granted in subsection (b) of this section;

(ii) The director, in consultation with the board, shall provide a list of all county roads and municipal roads for which the easements were granted under subsection (b) of this section to all counties, cities and towns.

(f) Not later than April 1, 2030, each county, city and town that has a county road or municipal road for which an easement has been granted under subsection (b) of this section shall provide complete and proper documentation to the director and the board as necessary to secure the easement for the county or municipal road.

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(g) Not later than ninety (90) days after receiving all necessary documentation to effectuate an easement under subsection (f) of this section, the board shall provide proper evidence of the easement granted under this section. The board shall be responsible for recording or filing with the county clerk all documents necessary to demonstrate the granting of the easement under this section.

(h) All county roads and municipal roads constructed or established on and after January 1, 2025 shall secure easements or rights-of-way for roads going on and across state or school lands in accordance with law and rules of the board. Nothing in this section shall be construed to grant an automatic easement for county roads and municipal roads constructed or established on and after January 1, 2025.

**Section 2.** W.S. 36-1-101(a)(viii) is amended to read:

**36-1-101. Definitions.**

(a) Unless the context indicates otherwise, as used in this act:

(viii) "This act" means W.S. 36-1-101 through 36-3-111, 36-5-101 through 36-7-510 and 36-9-101 through ~~36-9-120~~ 36-9-121.

**Section 3.** The board of land commissioners shall promulgate all rules necessary to implement this act.

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

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk