

HOUSE BILL NO. HB0011

Eminent domain-landowner bill of rights.

Sponsored by: Representative(s) Williams

A BILL

for

1 AN ACT relating to eminent domain; creating a landowner's
 2 bill of rights brochure as specified; requiring notice of
 3 rights to landowners during the initial eminent domain
 4 process; imposing responsibility on any person attempting
 5 to exercise the power of eminent domain to provide these
 6 rights to the landowner; specifying applicability; and
 7 providing for an effective date.

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

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11 **Section 1.** W.S. 1-26-517 is created to read:

12

13 **1-26-517. Landowner's bill of rights.**

14

1 (a) The following landowner's bill of rights applies
2 to any attempt by a public entity or other person to
3 condemn a landowner's property under this act.

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5 (b) A person with eminent domain authority shall
6 provide a written notice of the following, which shall be
7 known as the landowner's bill of rights brochure, to a
8 landowner before or at the same time as the person first
9 represents to the landowner that the person will or may
10 attempt to condemn the landowner's property through eminent
11 domain proceedings:

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13 (i) That the landowner is entitled to receive
14 adequate compensation pursuant to W.S. 1-26-702 through
15 1-26-715 if the landowner's property is taken through
16 eminent domain;

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18 (ii) That the landowner's property may be taken
19 only as provided by the Wyoming constitution or by law.
20 Under these standards, property can be taken only if the
21 public interest and necessity require it, the project is
22 planned or located in the manner that will be most
23 compatible with the greatest public good and the least

1 private injury and the property sought to be acquired is
2 necessary for the project;

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4 (iii) That the landowner's property can only be
5 condemned by a public entity or person authorized by law to
6 do so;

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8 (iv) That persons who want to acquire a
9 landowner's property through an eminent domain process must
10 notify the landowner that they intend, or in some
11 circumstances that there is a reasonable probability that
12 they will intend, to acquire the landowner's property
13 through eminent domain;

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15 (v) That persons who want to condemn the
16 landowner's property and who want to enter the property
17 first for the purpose of conducting activities like
18 surveys, tests and taking samples must provide written
19 notice fifteen (15) days in advance of the entry pursuant
20 to W.S. 1-26-506;

21

22 (vi) That persons proposing to condemn a
23 landowner's property must provide the landowner with

1 written evidence of the fair market value of the property
2 to be condemned in the form of a written appraisal, value
3 finding form or waiver form from a certified appraiser or
4 other evidence of fair market value as required by W.S.
5 1-26-704;

6

7 (vii) That persons proposing to condemn the
8 landowner's property shall enter into good faith
9 negotiations with the landowner, which include a written
10 notice of the way to contact the person proposing to
11 condemn the property and an initial written settlement
12 offer that meets the requirements of W.S. 1-26-509(c)(iii).
13 Persons proposing to condemn the property must make a good
14 faith effort to purchase the property before the person
15 moves to condemn the property;

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17 (viii) That the landowner may hire an appraiser
18 to determine the value of the property or to assist the
19 landowner in any condemnation proceeding;

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21 (ix) That the landowner may hire an attorney to
22 negotiate with the person proposing to condemn the property

1 and to represent the landowner in any legal proceedings
2 involving the condemnation;

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4 (x) That before the property is condemned using
5 a formal condemnation action, the landowner is entitled to
6 have the amount of compensation determined by an informal
7 proceeding governed by the Wyoming rules of civil
8 procedure; and

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10 (xi) That if the landowner is dissatisfied with
11 the compensation awarded by the informal or formal
12 proceeding, then the landowner has a right to a trial by a
13 judge or jury. If the landowner is dissatisfied with the
14 decision of the judge or jury, then the landowner may
15 appeal the decision to a higher court.

16

17 **Section 2.** This act shall apply to any eminent domain
18 action initiated under the Wyoming Eminent Domain Act on or
19 after July 1, 2026.

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21 **Section 3.** This act is effective July 1, 2026.

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23

(END)