

SENATE FILE NO. SF0016

Subleasing of state lands-exemptions.

Sponsored by: Joint Agriculture, State and Public Lands &
Water Resources Interim Committee

A BILL

for

1 AN ACT relating to state lands; amending provisions and
2 creating exemptions regarding the subleasing of state
3 grazing lands; providing definitions; establishing a non-
4 owned livestock fee; repealing obsolete provisions; and
5 providing for an effective date.

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

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9 **Section 1.** W.S. 36-5-105(d)(iii), (iv)(B), by
10 creating new subparagraphs (D) and (E) and by creating a
11 new subsection (k) is amended to read:

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13 **36-5-105. Criteria for leasing; preferences;**
14 **assignments, subleases or contracts; lands taken for war**
15 **purposes; mineral lands excepted; agricultural lands.**

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2 (d) If the lessee of state lands shall assign,
3 sublease or contract all or any part of the lease area, the
4 lease shall be subject to cancellation unless the director
5 approves the assignment, sublease or contract subject to
6 criteria established by the board of land commissioners
7 provided that:

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9 (iii) In no event shall the lands be subleased
10 unless one-half (1/2) of the excess rental is paid to the
11 state. For purposes of this paragraph, "excess rental"
12 means the amount of money received from the sublease by the
13 lessee is in excess of the current annual grazing and
14 agricultural lease rental. "Excess rental" shall be
15 calculated by identifying the total money received for only
16 the use of leased or subleased state lands and subtracting
17 the annual lease rental;

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19 (iv) A lessee of state lands whose lease
20 authorizes grazing on the state lands shall not be required
21 to obtain the approval of the director to allow livestock
22 the lessee does not own to graze on the state lands
23 provided that:

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(B) The lessee provides documentation on the lessee's grazing of non-owned livestock to the office of state lands and investments; ~~and~~

(D) Notice of the presence of livestock not owned by the lessee shall be given to the board on a form provided by the office of state lands and investments not more than thirty (30) days after the arrival of the livestock on the leased land;

(E) In addition to the annual rental amount, the lessee shall pay a monthly fee per head of non-owned livestock which shall be established by the board and shall not exceed fifty percent (50%) of the annual animal unit month rental rate. The payment shall be made to the board not later than thirty (30) days after the removal of the non-owned livestock. For purposes of this subparagraph, "animal unit month" means as defined by W.S. 41-3-116(a)(ii).

(k) If at any time a state grazing lessee notifies the office that the common ownership of the entities

1 holding the state grazing lease and owning the livestock
2 grazing on the state grazing lease is not less than eighty
3 percent (80%), a sublease or a non-owned livestock fee
4 shall not be required.

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6 **Section 2.** W.S. 36-5-105(d)(iv)(A) through (C), (v)
7 and (vi) is repealed.

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

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(END)