

Bill No.: SF0099 **Effective:** 7/1/2026
LSO No.: 26LSO-0501
Enrolled Act No.: SEA No. 0063
Chapter No.: 102
Prime Sponsor: Cooper
Catch Title: **Prescriptive easements for electricity delivery.**
Has Report: No
Subject: Authorizing easements for electricity delivery and distribution systems.

Summary/Major Elements:

- This act authorizes a nonexclusive easement for electric utilities for a delivery system (the physical structures and power lines that convey electricity) if all of the following have been met:
 - The electric utility has installed a delivery system.
 - The delivery system is visibly installed so as to provide successors-in-interest constructive or actual notice that the delivery system exists on the property.
 - The delivery system was installed on or before January 1, 2026.
 - The delivery system's use is continuous and uninterrupted (for purposes of this requirement, an interruption must exceed one (1) year to be not continuous).
- The act provides that, upon the establishment of an easement for the electric utility, the electric utility has the right to reconstruct, re-phase, maintain and repair the existing system and to remove trees and vegetation likely to become hazardous to the system.
- Access to the easement granted under this act is limited to that access necessary to exercise the rights and privileges granted under this act, except that further access is authorized if access to the easement would be hazardous or materially encumbered.
- The act provides that the easement cannot exceed thirty (30) feet from any direction from the location of the physical parts of the system, and an easement is deemed abandoned if the electric utility fails to use the delivery system for more than three (3) consecutive years without an agreement with the landowner.
- Before the electric utility is granted an easement, the utility must publish a notice in a local newspaper or customer newsletter.

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