

HOUSE BILL NO. HB0072

Transfer of water and sewer district operations.

Sponsored by: Representative(s) Sweeney, Duncan, Gray,
Harshman, Henderson, MacGuire, Schwartz and
Zwonitzer and Senator(s) Landen

A BILL

for

1 AN ACT relating to water and sewer districts; authorizing
2 the assumption of water and sewer district operations,
3 assets and liabilities by cities and towns as specified;
4 requiring the dissolution of water and sewer districts as
5 specified; and 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. 41-10-158 is created to read:

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11 **41-10-158. Assumption of district operations,**
12 **property, facilities and liabilities by a city or town;**
13 **dissolution.**

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1 (a) In accordance with the provisions of this
2 section, a city or town may by ordinance assume the
3 operation and ownership of a part or all of a district's
4 property, facilities or equipment for any district that
5 lies at least partially within the boundaries of the city
6 or town.

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8 (b) When a city or town assumes the operation and
9 ownership of a part or all of the property, facilities and
10 equipment of a district under subsection (a) of this
11 section, the district shall transfer all of its assets to
12 the city or town. The city or town shall make provision for
13 meeting all liabilities of the district through assumption
14 or by other lawful means. No such assumption or other
15 action taken under this section shall materially impair
16 existing obligations of contract of either the city or town
17 or the district. Upon transfer of all district assets and
18 provision for meeting all liabilities of the district in
19 accordance with this subsection, the district shall
20 dissolve and a certificate to such effect shall be signed
21 by the clerical officer of the city or town and filed with
22 the secretary of state and any county clerk and recorder of

1 any county in which the order establishing the district is
2 filed.

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4 (c) A city or town may assume the operation and
5 ownership of a part or all of a district's property,
6 facilities and equipment in accordance with this
7 subsection. A city or town may elect by ordinance to
8 require a district to transfer that part of its operations,
9 facilities or equipment within the city or town or so much
10 of the district's operations, facilities or equipment
11 outside the boundaries of the city or town that the city or
12 town chooses to assume, and that portion of the district's
13 assets and liabilities capable of being apportioned on a
14 pro rata basis based upon the assessed value of the
15 property within the area to be assumed as a percentage of
16 the overall assessed value of the property served by the
17 district to the city or town. The city or town shall make
18 provision for meeting the district liabilities transferred
19 to the city or town through assumption or by other lawful
20 means. No such assumption or other action taken under this
21 section shall materially impair existing obligations of
22 contract of either the city or town or the district. A city
23 or town shall structure transfers under this subsection:

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(i) In an equitable manner;

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(ii) To ensure district solvency; and

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(iii) To ensure that the district can continue

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to provide services to those areas within the district's

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boundaries that are outside of the area being assumed.

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Section 2. This act is effective July 1, 2021.

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(END)