

ENROLLED ACT NO. 38, SENATE

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING  
2023 GENERAL SESSION

AN ACT relating to improvement and service districts; providing an alternative proceeding to form a district to provide emergency medical services by resolution of a board of county commissioners; specifying the appointment of the board of directors of the district; specifying taxation requirements; requiring the board of directors for an emergency medical services district to attempt to collect for services rendered as specified; and providing for an effective date.

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

**Section 1.** W.S. 18-3-525(a)(intro), 18-12-105, 18-12-113(a), (d) and by creating new subsections (e) through (g) and 18-12-119(b) through (d) are amended to read:

**18-3-525. Dissolution of boards; procedure.**

(a) Each board of county commissioners may dissolve any board or district created under W.S. 18-10-103, 18-11-101, 18-12-105 or chapter 9, article 1 of this title in accordance with the following:

**18-12-105. Commencement of districts; districts to provide emergency medical services.**

(a) Proceedings for the formation of a-an improvement and service district under this act, except a district to provide emergency medical services formed pursuant to subsection (b) of this section, shall be commenced by filing a petition addressed to the commissioners of the county in which the land proposed to be included in the district is situated. The petition shall be accompanied by a filing fee of two hundred dollars (\$200.00).

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(b) After July 1, 2023, as an alternative to forming a district under subsection (a) of this section, a district to provide emergency medical services under W.S. 18-12-112(a)(xxii) may be established by resolution of the board of county commissioners. A resolution under this subsection shall establish one (1) or more districts to provide emergency medical services composed of any portion of the county. Areas may be added to or subtracted from an existing district by resolution of the board of county commissioners. Not less than sixty (60) days before any resolution pursuant to this subsection is signed, the board of county commissioners shall hold a public hearing and publish the proposed resolution, including the date and time of the public hearing, in a newspaper of general circulation in the county and on the county's website. The board of county commissioners shall submit the proposed boundaries of the district to the county assessor and the department of revenue for review for any conflict, overlap, gap or other boundary issue. The assessor and the department may make written comments thereon to the county commissioners before the public hearing. The board of county commissioners may dissolve a district established under this subsection in accordance with W.S. 18-3-525.

**18-12-113. District board of directors; requirements.**

(a) The—Except for districts to provide emergency medical services established under W.S. 18-12-105(b) as provided in subsection (e) of this section, an improvement and service district shall be managed and controlled by a board of directors consisting of three (3) or five (5) members. The initial board shall consist of three (3) or five (5) members elected at the organizational election. A simple majority of members shall serve an initial term of

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two (2) years and the remaining members shall serve an initial term of four (4) years after formation of the district and until their successors are elected and qualified at the regular scheduled subsequent director election as provided in W.S. 22-29-112. Thereafter, members shall be elected for terms of four (4) years. A vacancy occurring on the board during the term of an original director or his successor shall be filled as provided in the Special District Elections Act of 1994.

(d) Notwithstanding subsection (a) of this section and except as provided by subsection (e) of this section, any district may increase or decrease the membership of its board from three (3) to five (5) members if a proposition for the modification is submitted to a vote of the qualified electors of the district and a majority of those casting their ballots vote in favor of the increase or decrease. Additional offices created under this subsection shall be filled as provided in W.S. 22-29-112(a). At the election, not more than one (1) member shall be elected for a term of two (2) years, and the election ballots shall so state. Each term shall otherwise be four (4) years. A vote to decrease membership shall be in the election preceding the election of three (3) members.

(e) After July 1, 2023, if a district to provide emergency medical services is established under W.S. 18-12-105(b), the board of county commissioners shall appoint not less than three (3) nor more than nine (9) residents of the district to constitute the board of directors of the district. Appointees shall serve a term of three (3) years and may be reappointed. Terms of office shall be staggered.

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(f) The board of directors for an emergency medical services district shall attempt to collect for emergency medical services rendered when patients are covered by a private health insurance plan, Medicare, Medicaid or any other plan that provides coverage for emergency medical services.

(g) The board of directors for an emergency medical services district shall report to the board of county commissioners on a quarterly basis regarding the total number of patients served by the emergency medical services district and the total number of patients who were covered by a private health insurance plan, Medicare, Medicaid or any other plan that provides coverage for emergency medical services.

**18-12-119. Duty of county officials to levy and collect taxes.**

(b) For any district established to provide emergency medical services, ~~under W.S. 18-12-112(a)(xxii)~~ at the time of making the levy for county purposes, the county shall levy a tax for that year upon the taxable property in the district in its county for its proportionate share based on assessed valuation of the estimated amount of funds needed by each district providing emergency medical services, ~~but, except~~ as provided in this subsection. if the district was formed under W.S. 18-12-105(a) and is providing emergency medical services under W.S. 18-12-112(a)(xxii), the tax for the district shall not exceed in any one (1) year the amount of two (2) mills on each dollar of assessed valuation of the property. ~~Up to unless up to~~ an additional two (2) mills ~~may be imposed on each dollar of assessed valuation of the property if is~~ approved by the board of directors and ~~if~~ approved by the

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electors as provided in subsection (c) of this section. If the district was formed under W.S. 18-12-105(b) as a district to provide emergency medical services, the tax for the district shall not exceed four (4) mills if the mills are approved by the board of directors and approved by the electors as provided in subsection (c) of this section.

(c) If the board of directors votes to ~~increase the mill levy beyond two (2)~~ impose mills ~~as authorized by that~~ require approval by the electors under subsection (b) of this section, the board of county commissioners shall call an election within the district upon the question of whether the mill levy should be ~~increased beyond two (2) mills~~ imposed. The election shall be called, conducted and canvassed as provided for bond elections by the Political Subdivision Bond Election Law, W.S. 22-21-101 through 22-21-112, on the first date authorized under W.S. 22-21-103 which is not less than sixty (60) days after the board of directors votes to ~~increase the~~ impose any mill levy ~~beyond two (2) mills that requires the approval of the electors under subsection (b) of this section~~. In no event shall the tax in a district providing emergency medical services exceed in any one (1) year the amount of four (4) mills on each dollar of assessed valuation of property. The ~~increase in~~ mill levy is effective only if the question is approved by a majority of those voting thereon within the district providing emergency medical services. The cost of any special election under this subsection shall be borne by the board of directors.

(d) If the proposition to authorize ~~an additional a~~ mill levy is approved, the tax shall remain in effect until a petition to discontinue the tax, signed by not less than ten percent (10%) of the voters of the district, is received by the board of county commissioners, at which

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time the proposal to discontinue the tax shall be submitted to the voters of the district at the expense of the county at the next general election. If the proposition to impose or discontinue the tax is defeated, the proposition shall not again be submitted to the electors for at least twenty-three (23) months.

**Section 2.** This act is effective July 1, 2023.

(END)

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

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

\_\_\_\_\_  
Governor

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

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

I hereby certify that this act originated in the Senate.

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