

SENATE FILE NO. SF0076

Municipal annexation changes.

Sponsored by: Senator(s) Hawks and Representative(s) Cohee

A BILL

for

1 AN ACT relating to cities and towns; modifying the
2 requirements, procedures and effective date for annexation;
3 and providing for an effective date.
4

5 *Be It Enacted by the Legislature of the State of Wyoming:*
6

7 **Section 1.** W.S. 15-1-402(c)(v), 15-1-403(c) and (d),
8 15-1-405 and 15-1-408 are amended to read:
9

10 **15-1-402. Annexing territories; findings required;**
11 **when contiguity not deemed affected; annexation report.**
12

13 (c) An annexing municipality shall prepare a proposed
14 annexation report as specified in this subsection. The
15 report shall, at a minimum, contain:
16

1 (v) The current and projected property ~~taxes~~tax
2 mill levies imposed by the municipality; and

3

4 **15-1-403. Annexing territories; initiation of**
5 **proceedings; by landowners' petition; validity of**
6 **signatures; determinations.**

7

8 (c) The clerk shall ~~refer the petition to the~~
9 ~~governing body which, without undue delay, shall take~~
10 ~~appropriate steps to~~ within ten (10) days from the date the
11 petition is filed, determine if the petition substantially
12 complies with this article.

13

14 (d) If the petition complies, the ~~governing body~~
15 ~~shall adopt a resolution certifying~~ clerk shall certify
16 compliance, and the procedure outlined in W.S. 15-1-402,
17 15-1-405 and 15-1-406 shall then be followed. If it does
18 not comply the petitioner shall be notified that no further
19 action will be taken on the petition until compliance is
20 made.

21

22 **15-1-405. Annexing territories; public hearing**
23 **required; notice thereof.**

24

1 (a) In any annexation proceeding the governing body
2 shall establish a date, time and place for a public hearing
3 to determine if the proposed annexation complies with W.S.
4 15-1-402. The hearing shall be held not less than ~~sixty~~
5 ~~(60)~~ thirty (30) days nor more than ~~one hundred twenty~~
6 ~~(120)~~ one hundred eighty (180) days after the ~~effective~~
7 ~~date of the resolution~~ petition has been certified to be
8 complete.

9
10 (b) The clerk shall give notice of the public hearing
11 by ~~publishing~~ a published notice ~~at least twice~~ in a
12 newspaper of general circulation in the territory sought to
13 be annexed. The ~~first~~ notice shall be given at least
14 ~~twenty (20)~~ fifteen (15) business days prior to the date of
15 the public hearing. The notice shall contain a location
16 map which includes identifiable landmarks and boundaries of
17 the area sought to be annexed and the area which will, as a
18 result of the annexation then be brought within one-half
19 (1/2) mile of the new corporate limits of the city, if it
20 has exercised the authority granted under W.S.
21 15-3-202(b)(ii). The notice shall include a summary of the
22 proposed annexation report prepared pursuant to W.S.
23 15-1-402(c). Upon written request to the clerk of the
24 annexing municipality, the clerk shall provide a legal

1 description of the area and the names of the persons owning
2 property within the area.

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4 **15-1-408. Annexing territories; effective dates.**

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6 The annexation of any territory is effective upon
7 publication of the ordinance, unless another date is
8 specified in the ordinance. ~~The effective date of the~~
9 ~~annexation ordinance shall not be less than twenty (20)~~
10 ~~business days after the public hearing required by W.S.~~
11 ~~15-1-405(a).~~ For purposes of real and personal property
12 taxation, the annexation is not effective until January 1
13 next following the effective date of the ordinance. If an
14 appeal is filed and perfected by a person other than a
15 utility, the effective date is January 1 next following the
16 court's final decision of the matter. If an appeal of the
17 franchise decision is filed and perfected by a utility, the
18 annexation is effective upon the publication of the
19 ordinance unless another date is specified in the
20 ordinance, but the appealing utility shall be permitted to
21 continue its present service in the annexed area until the
22 court's final decision of the matter.

23

1 **Section 2.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

5

6

(END)