

HOUSE BILL NO. HB0179

Energy improvement program.

Sponsored by: Representative(s) Petroff, Gingery, Miller and Roscoe and Senator(s) Christensen

A BILL

for

1 AN ACT relating to local improvements; authorizing the  
2 adoption of an energy improvement program by a local  
3 government as specified; providing for financing; providing  
4 procedures; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 15-1-701(a)(ii), by creating a new  
9 paragraph (iv) and (b) and 15-1-702 by creating a new  
10 subsection (c) are amended to read:

11

12 **15-1-701. Definitions; vesting of powers and**  
13 **privileges.**

14

15 (a) As used in this article:

16

1           (ii) "Project" means any land, building,  
2 pollution control facility or other improvement and all  
3 necessary and appurtenant real and personal properties,  
4 whether or not in existence, suitable for manufacturing,  
5 industrial, commercial or business enterprises or for  
6 health care facilities. Project may also mean an undivided  
7 interest as a tenant in common in an electrical generating  
8 facility or in pollution control facilities in connection  
9 therewith. Project may also mean an energy improvements  
10 program;

11

12           (iv) "Energy improvements program" means a  
13 program authorizing energy efficiency or renewable energy  
14 improvements in a program adopted by a municipality, county  
15 or multi-county joint powers board.

16

17           (b) In order to facilitate and promote the local  
18 health and general welfare, the sound economic growth of  
19 the state of Wyoming, the development of its natural  
20 resources, the protection of its natural environment,  
21 provision of health care services, energy improvements and  
22 to promote employment opportunities for the citizens of  
23 Wyoming by creating or encouraging the expansion of  
24 manufacturing, industrial plants, processing facilities and

1 all kinds of business which contribute payrolls and tax  
2 base to the state of Wyoming, and by attracting to and  
3 encouraging the location or the expansion within this state  
4 of such plants, facilities and businesses all of which are  
5 hereby declared to be and constitute public purposes, the  
6 counties and municipalities of the state of Wyoming are  
7 vested with the powers and privileges hereafter set forth  
8 in this article.

9

10 **15-1-702. Powers of municipalities and counties;**  
11 **limitations.**

12

13 (c) A municipality, county or multi-county joint  
14 power board may designate an energy improvements area and  
15 establish an energy improvements program to make loans to  
16 owners of real property within the area for cost-effective  
17 energy improvements to existing residential, commercial or  
18 industrial buildings on the property. Not less than thirty  
19 (30) days prior to the designation under this subsection,  
20 the governing body shall provide an explanation of the  
21 proposed program to any utility which distributes  
22 electricity or natural gas in the area in which the  
23 proposed program will operate. A governing body which  
24 establishes an energy improvements program may secure a

1 loan under the program with a lien on the benefited  
2 property and enforce the lien in the same manner as  
3 provided for special assessments under W.S. 15-6-401 et  
4 seq. Additionally, the governing body may require any  
5 other security for a loan it deems reasonable and  
6 necessary. The designation may establish:

7  
8 (i) A loan application process that includes an  
9 energy audit of the building proposed to be improved and  
10 other requirements to ensure that the loan will be used for  
11 energy improvements which are cost effective and otherwise  
12 consistent with the purpose of the program;

13  
14 (ii) The loan terms, including interest rates;

15  
16 (iii) The application and loan fees sufficient  
17 to pay the administrative and financing costs of the  
18 program, included costs associated with loan delinquencies;  
19 and

20  
21 (iv) Any requirements and conditions to ensure  
22 timely repayment of loans and fees imposed under the  
23 program.

24

1       **Section 2.** This act is effective July 1, 2011.

2

3

(END)