

HOUSE BILL NO. HB0092

Revisor's bill.

Sponsored by: Management Council

A BILL

for

1 AN ACT relating to the revision of statutes; correcting
 2 statutory references and language resulting from
 3 inadvertent errors and omissions in previously adopted
 4 legislation; amending obsolete references; repealing
 5 provisions; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 9-1-701(a)(xii), 9-2-3006(a)(intro),
 10 9-23-107(b), 18-3-402(a)(xvi)(A) through (D), (F), (G) and
 11 (J) through (W), 21-2-802(c), 23-2-101(j)(ii) through
 12 (xxxv), (xxxvii) through (xlii), (xliii)(A), (B) and (xliv)
 13 through (xlvi), 23-2-201(d)(i) through (iv) and (vi)
 14 through (ix), 25-10-102, 25-10-114(a), 26-11-109(a),
 15 29-7-101(b), 30-5-106, 31-18-401(a)(ii)(A) and (iii),

1 33-34-107(b), 33-40-111(b), 34-14-210(a)(intro) and (ii),
2 35-2-1203(a) and 37-18-102(e) are amended to read:

3

4 **9-1-701. Definitions.**

5

6 (a) As used in this act:

7

8 (xii) "This act" means W.S. 9-1-701 through
9 ~~9-1-709~~ 9-1-711;

10

11 **9-2-3006. Procurement for capital construction**
12 **projects.**

13

14 (a) Contracts for capital construction projects let
15 by an agency or the University of Wyoming, excluding
16 contracts for professional services under W.S. ~~9-2-1027~~
17 9-23-101 through ~~9-2-1033~~ 9-23-107 and for capital
18 construction projects delivered through alternate design
19 and construction delivery methods as defined in W.S.
20 16-6-701(a)(v), shall be let through the use of competitive
21 negotiation, noncompetitive negotiation or competitive
22 sealed bidding as follows:

23

1 **9-23-107. Prohibited acts; civil penalty; initiation**
 2 **of action.**

3
 4 (b) Any person violating subsection (a) of this
 5 section or W.S. ~~9-2-1032(d)~~9-23-106 is liable for a
 6 penalty not to exceed five thousand dollars (\$5,000.00).
 7 The penalty may be recovered in a civil action and damages
 8 shall be assessed by the court.

9
 10 **18-3-402. Duties generally.**

11
 12 (a) The county clerk shall:

13
 14 (xvi) Collect and remit to the county treasurer
 15 the following fees:

16
 17 (A) Recording charges for any
 18 instrument-first page\$12.00

19
 20 Each additional page~~\$~~3.00

21
 22 (B) Abstract of personal property (per
 23 year)~~\$~~1.00

1

2

(C) Acknowledgments\$2.00

3

4

(D) Bond oath and notary public

5

commission-first page\$12.00

6

7

Each additional page\$3.00

8

9

(F) Marriage license\$30.00

10

11

(G) Marriage license certified copy ..\$5.00

12

13

(J) Certification\$5.00

14

15

(K) State tax liens\$20.00

16

17

(M) Additional recording charge for any

18

instrument with more than five (5) grantors or grantees of

19

a different surname or more than five (5) claim names-each

20

additional name\$1.00

21

22

(N) Additional recording charge for each

23

section (including quarter and quarter-quarter, if

1 applicable), block, lot or tract-description in excess of
 2 ten (10)\$1.00

3

4 (O) Plats filed (including cemeteries and
 5 amended plats)\$75.00

6

7 (P) Liens filed pursuant to Title 29-first
 8 page\$12.00

9

10 Each additional page\$3.00

11

12 (Q) Filing charge for each corner record or
 13 certificate\$5.00

14

15 (R) Recording charge for any instrument
 16 containing more than two (2) real estate descriptions by
 17 book and page only-each additional description\$2.00

18

19 (S) Liens filed upon real property pursuant
 20 to W.S. 20-6-106(y)\$12.00

21

22 Each additional page\$3.00

23

1 Additional recording charge for each
2 additional collateral description\$1.00

3
4 (T) For filing and indexing an original
5 financing and termination statement\$20.00

6
7 For each additional certificate of title
8 upon which the lien is note for perfection\$1.00

9
10 (U) For statements of amendment,
11 continuation or assignment.....\$5.00

12
13 (W) For lien search and certification of
14 filings of record and affixing the seal\$20.00

15
16 **21-2-802. Powers and duties; teacher certification;**
17 **suspension and revocation; certification fees; disposition**
18 **of collected fees; required data submissions to department**
19 **of education.**

20
21 (c) The board may revoke, suspend, deny or refuse to
22 renew certification for incompetency, conviction of a
23 felony committed after July 1, 1996, immorality and other

1 reprehensible conduct or gross neglect of duty or knowing
 2 misrepresentation of information on an application or
 3 resume, upon its own motion or upon the petition of any
 4 local board of trustees. Except as provided in subsection
 5 ~~(h)~~-(k) of this section, no certificate shall be revoked or
 6 suspended without a hearing conducted in accordance with
 7 the Wyoming Administrative Procedure Act, unless the person
 8 holding the certification waives the right to a hearing.

9

10 **23-2-101. Fees; restrictions; nonresident application**
 11 **fee; nonresident licenses; verification of residency**
 12 **required.**

13

14 (j) Subject to W.S. 23-2-101(f), 23-1-705(e) and the
 15 applicable fee under W.S. 23-1-701, the following hunting
 16 licenses and tags may be purchased for the fee indicated
 17 and subject to the limitations provided:

18

19 (ii) Nonresident black bear license; one (1)
 20 black bear.....\$371.00

21

22 (iii) Resident mountain lion license; one (1)
 23 mountain lion.....\$30.00

1

2 (iv) Nonresident mountain lion license; one (1)
 3 mountain lion.....\$371.00

4

5 (v) Resident daily game bird/small game license;
 6 all game birds except wild turkey.....\$7.00

7

8 (vi) Nonresident daily game bird/small game
 9 license; all game birds except wild turkey.....\$20.00

10

11 (vii) Resident lifetime game bird and small game
 12 license; all game birds except wild turkey.....\$309.00

13

14 (viii) Resident lifetime game bird/small game
 15 and fishing license; all game birds except wild turkey.
 16\$494.00

17

18 (ix) Resident game bird/small game license; all
 19 game birds except wild turkey.....\$25.00

20

21 (x) Nonresident game bird/small game license;
 22 all game birds except wild turkey.....\$72.00

23

1 (xi) Nonresident youth game bird/small game
 2 license; all game birds except wild turkey.....\$40.00

4 (xii) Resident archery license.....\$14.00

6 (xiii) Nonresident archery license.....\$70.00

8 (xiv) Resident deer license; one (1) deer.\$40.00

10 (xv) Nonresident deer license; one (1)
 11 deer.....\$372.00

13 (xvi) Resident youth deer license; one (1)
 14 deer.....\$15.00

16 (xvii) Nonresident youth deer license; one (1)
 17 deer.....\$110.00

19 (xviii) Resident elk license; one (1) elk.\$55.00

21 (xix) Nonresident elk license; one (1) elk,
 22 fishing privileges.....\$690.00

23

1 (xx) Resident youth elk license; one (1)
 2 elk.....\$25.00

3
 4 (xxi) Nonresident youth elk license; one (1)
 5 elk, fishing privileges.....\$275.00

6
 7 (xxii) Resident bighorn sheep license; one (1)
 8 bighorn sheep.....\$150.00

9
 10 (xxiii) Nonresident bighorn sheep license; one
 11 (1) bighorn sheep.....\$2,318.00

12
 13 (xxiv) Resident mountain goat license; one (1)
 14 mountain goat.....\$150.00

15
 16 (xxv) Nonresident mountain goat license; one (1)
 17 mountain goat.....\$2,160.00

18
 19 (xxvi) Resident moose license; one (1)
 20 moose.....\$150.00

21
 22 (xxvii) Nonresident moose license; one (1)
 23 moose.....\$1,980.00

1

2 (xxviii) Resident grizzly bear license; one (1)
3 grizzly bear.....\$600.00

4

5 (xxix) Nonresident grizzly bear license; one (1)
6 grizzly bear.....\$6,000.00

7

8 (xxx) Resident antelope license; one (1)
9 antelope.....\$35.00

10

11 (xxxii) Nonresident antelope license; one (1)
12 antelope.....\$324.00

13

14 (xxxiii) Resident youth antelope license; one (1)
15 antelope.....\$15.00

16

17 (xxxiiii) Nonresident youth antelope license; one
18 (1) antelope.....\$110.00

19

20 (xxxv) Resident license to capture falcons for
21 falconry purposes.....\$37.00

22

1 (xxxv) Nonresident license to capture falcons
2 for falconry purposes.....\$247.00

3

4 (xxxvii) License to hunt with falcon; game
5 birds, small game animals.....\$14.00

6

7 (xxxviii) Resident turkey license.....\$14.00

8

9 (xxxix) Nonresident turkey license.....\$72.00

10

11 (xl) Wyoming interstate game tag.....\$6.00

12

13 (xli) Resident game bird license; all game birds
14 except turkey.....\$14.00

15

16 (xlii) Resident small game license.....\$14.00

17

18 (xliii) From and after the date gray wolves are
19 removed from the list of experimental nonessential
20 population, endangered species or threatened species in
21 Wyoming as provided by W.S. 23-1-108:

22

23 (A) Resident gray wolf license.....\$19.00

1

2

(B) Nonresident gray wolf license...\$185.00

3

4

(xliv) Resident youth archery license.....\$6.00

5

6

(xlv) Nonresident youth archery license...\$12.00

7

8

(xlvi) Resident lifetime archery license.\$206.00

9

10 **23-2-201. Fees; restrictions; verification of**
11 **residency required.**

12

13 (d) The following fishing licenses may be purchased
14 for the fee indicated in addition to the applicable fee
15 under W.S. 23-1-701 and subject to the limitations
16 provided:

17

18

(i) Resident fishing license.....\$25.00

19

20

(ii) Nonresident fishing license.....\$100.00

21

22

(iii) Nonresident youth fishing license...\$15.00

23

1 (iv) Resident youth fishing license (between
2 their 14th and 18th birthdays).....\$3.00

3

4 (vi) Nonresident daily fishing license....\$12.00

5

6 (vii) Resident daily fishing license.....\$4.00

7

8 (viii) Resident lifetime fishing license.\$309.00

9

10 (ix) Nonresident five (5) consecutive day
11 fishing license.....\$54.00

12

13 **25-10-102. Admittees subject to rules and regulations**
14 **of state hospital.**

15

16 All persons admitted to the state hospital shall be subject
17 to the rules and regulations of the ~~state hospital~~
18 department.

19

20 **25-10-114. Transfer of inmates of penal institutions**
21 **to state hospital; notice.**

22

1 (a) The department of corrections may transfer an
2 inmate of a state penal institution who is mentally ill to
3 the state hospital, subject to the rules of admission of
4 the ~~state hospital~~ department, if adequate treatment cannot
5 be provided at a state penal institution.

6

7 **26-11-109. Required information on surplus lines**
8 **contracts; duty to notify insured.**

9

10 (a) Every new or renewed insurance contract,
11 certificate, cover note or other confirmation of insurance
12 that is procured and delivered as a surplus lines coverage
13 pursuant to this chapter shall have stamped or printed upon
14 it, in at least ten (10) point bold type font, the name and
15 address of the surplus lines broker who procured the
16 coverage, and the following disclosure: "This insurance
17 contract is issued pursuant to the Wyoming Nonadmitted
18 Insurance Laws by an insurer neither licensed by nor under
19 the jurisdiction of the Wyoming Insurance Department. In
20 the event of insolvency of the surplus lines insurer,
21 losses will not be paid by the Wyoming Insurance Guaranty
22 Association or the Wyoming Life and Health Guarantee
23 Insurance Guaranty Association."

1

2 **29-7-101. Persons entitled to lien; exception.**

3

4 (b) W.S. 29-7-101 through 29-7-106 shall not apply
5 where a lien is provided by W.S. ~~34.1-7-209~~ and 29-7-301
6 and 34.1-7-209. A person engaging in self-storage
7 operations whereby members of the public rent space from
8 the person to store goods and chattels and retain control
9 over access to the goods and chattels is not a warehouseman
10 under W.S. ~~34.1-7-102(a)(viii)~~ 34.1-7-102(a)(xiii) and is
11 entitled to a lien under this section.

12

13 **30-5-106. When hearings held before commission.**

14

15 (a) Notwithstanding any provision of this act, or any
16 rule of the commission adopted pursuant to the powers
17 granted to it by this act, the hearing on any matter or
18 proceeding shall be held before the commission if:

19

20 (i) ~~(a) if~~ The commission in its discretion
21 desires to hear the matter; ~~or~~

22

1 ~~(ii) (b) if~~ The application or motion so
2 requests ~~i, or~~

3
4 ~~(iii) (c) if~~ The matter is initiated on the
5 motion of the commission for enforcement of any rule,
6 regulation, order, or statutory provision ~~i, or~~

7
8 ~~(iv) (d) if~~ Any party who may be affected by the
9 matter or proceeding files with the commission more than
10 three (3) days prior to the date set for the hearing on the
11 matter or proceeding a written objection to such matter or
12 proceeding being heard before an examiner ~~i, or~~

13
14 ~~(v) (e) if~~ The matter or proceeding is for the
15 purpose of amending, removing or adding a statewide rule or
16 administrative fee.

17
18 **31-18-401. Registration fees.**

19
20 (a) Except as otherwise provided, the following fees
21 shall accompany each application for the registration of a
22 commercial vehicle:

23

1 (ii) A state registration fee computed as
 2 follows:

3
 4 (A) Commercial vehicles except passenger
 5 cars, school buses, house trailers and motorcycles for
 6 which the fees shall be computed as provided by W.S.
 7 31-3-101(a)(ii) based on gross vehicle weight pursuant to
 8 the following table:

| | | |
|----|--------------------------------------|----------------------|
| 10 | GROSS VEHICLE OR GROSS | |
| 11 | | |
| 12 | COMBINATION VEHICLE WEIGHT IN POUNDS | FEE |
| 13 | | |
| 14 | 26,000-or less | \$198.00 |
| 15 | | |
| 16 | 26,001-28,000 | \$ 214.50 |
| 17 | | |
| 18 | 28,001-30,000 | \$ 231.00 |
| 19 | | |
| 20 | 30,001-32,000 | \$ 247.50 |
| 21 | | |
| 22 | 32,001-34,000 | \$ 275.00 |
| 23 | | |

| | | |
|----|---------------|----------|
| 1 | 34,001-36,000 | \$302.50 |
| 2 | | |
| 3 | 36,001-38,000 | \$330.00 |
| 4 | | |
| 5 | 38,001-40,000 | \$357.50 |
| 6 | | |
| 7 | 40,001-42,000 | \$385.00 |
| 8 | | |
| 9 | 42,001-44,000 | \$412.50 |
| 10 | | |
| 11 | 44,001-46,000 | \$440.00 |
| 12 | | |
| 13 | 46,001-48,000 | \$467.50 |
| 14 | | |
| 15 | 48,001-50,000 | \$495.00 |
| 16 | | |
| 17 | 50,001-52,000 | \$522.50 |
| 18 | | |
| 19 | 52,001-54,000 | \$550.00 |
| 20 | | |
| 21 | 54,001-55,000 | \$563.75 |
| 22 | | |
| 23 | 55,001-56,000 | \$577.50 |

| | | |
|----|---------------|----------|
| 1 | | |
| 2 | 56,001-58,000 | \$605.00 |
| 3 | | |
| 4 | 58,001-60,000 | \$632.50 |
| 5 | | |
| 6 | 60,001-62,000 | \$660.00 |
| 7 | | |
| 8 | 62,001-64,000 | \$687.50 |
| 9 | | |
| 10 | 64,001-66,000 | \$715.00 |
| 11 | | |
| 12 | 66,001-68,000 | \$742.50 |
| 13 | | |
| 14 | 68,001-70,000 | \$770.00 |
| 15 | | |
| 16 | 70,001-72,000 | \$797.50 |
| 17 | | |
| 18 | 72,001-74,000 | \$825.00 |
| 19 | | |
| 20 | 74,001-76,000 | \$852.50 |
| 21 | | |
| 22 | 76,001-78,000 | \$880.00 |
| 23 | | |

1 78,001-80,000 \$907.50

2

3 For weights over eighty thousand (80,000) pounds, the fee
4 shall be nine hundred forty-eight dollars and seventy-five
5 cents (\$948.75) plus twenty-five dollars (\$25.00) for each
6 additional two thousand (2,000) pounds or fraction thereof.

7

8 (iii) Except as otherwise provided in W.S.
9 31-18-201(d)(iii), an equalized highway use tax collected
10 by the department in lieu of the county registration fee
11 imposed by paragraph (a)(i) of this section for commercial
12 vehicles or fleets proportionally registered under W.S.
13 31-18-201(b)(i) and described in W.S. 31-18-201(d)(ii)
14 pursuant to the following table:

15

| | | |
|----|------------------------|-------------------|
| 16 | VEHICLE OR COMBINATION | |
| 17 | | |
| 18 | GROSS VEHICLE WEIGHT | EQUALIZED HIGHWAY |
| 19 | | |
| 20 | IN POUNDS | USE TAX |
| 21 | | |
| 22 | 26,000-or less | \$88.00 |

23

| | | |
|----|---------------|----------|
| 1 | 26,001-28,000 | \$110.00 |
| 2 | | |
| 3 | 28,001-30,000 | \$165.00 |
| 4 | | |
| 5 | 30,001-32,000 | \$220.00 |
| 6 | | |
| 7 | 32,001-34,000 | \$275.00 |
| 8 | | |
| 9 | 34,001-36,000 | \$330.00 |
| 10 | | |
| 11 | 36,001-38,000 | \$385.00 |
| 12 | | |
| 13 | 38,001-40,000 | \$440.00 |
| 14 | | |
| 15 | 40,001-42,000 | \$495.00 |
| 16 | | |
| 17 | 42,001-44,000 | \$550.00 |
| 18 | | |
| 19 | 44,001-46,000 | \$605.00 |
| 20 | | |
| 21 | 46,001-48,000 | \$660.00 |
| 22 | | |
| 23 | 48,001-50,000 | \$715.00 |

| | | |
|----|---------------|------------|
| 1 | | |
| 2 | 50,001-52,000 | \$770.00 |
| 3 | | |
| 4 | 52,001-54,000 | \$825.00 |
| 5 | | |
| 6 | 54,001-56,000 | \$880.00 |
| 7 | | |
| 8 | 56,001-58,000 | \$935.00 |
| 9 | | |
| 10 | 58,001-60,000 | \$990.00 |
| 11 | | |
| 12 | 60,001-62,000 | \$1,045.00 |
| 13 | | |
| 14 | 62,001-64,000 | \$1,100.00 |
| 15 | | |
| 16 | 64,001-66,000 | \$1,155.00 |
| 17 | | |
| 18 | 66,001-68,000 | \$1,210.00 |
| 19 | | |
| 20 | 68,001-70,000 | \$1,265.00 |
| 21 | | |
| 22 | 70,001-72,000 | \$1,320.00 |
| 23 | | |

| | | |
|---|---------------|------------|
| 1 | 72,001-74,000 | \$1,375.00 |
| 2 | | |
| 3 | 74,001-76,000 | \$1,430.00 |
| 4 | | |
| 5 | 76,001-78,000 | \$1,485.00 |
| 6 | | |
| 7 | 78,001-80,000 | \$1,540.00 |
| 8 | | |

9 For weights over eighty thousand (80,000) pounds, the tax
10 under this paragraph shall be one thousand six hundred ten
11 dollars (\$1,610.00) plus fifty dollars (\$50.00) for each
12 additional two thousand (2,000) pounds or fraction thereof.

13

14 **33-34-107. Acceptance, collection, identification and**
15 **examination of specimens.**

16

17 (b) The results of a test shall only be reported to
18 or as directed by the person who requested it. The reports
19 shall include the name of the laboratory director and the
20 name and address of the clinical laboratory in which the
21 test was actually performed.

22

1 **33-40-111. Foreign trained applicants; applicants**
2 **from other states and territories.**

3
4 (b) The board shall, to the extent necessary, waive
5 examination, education, and continuing education
6 requirements and grant a license to any applicant who
7 presents proof of current licensure or regulation as an
8 occupational therapist or occupational therapy assistant in
9 another state, the District of Columbia, or territory of
10 the United States whose standards for licensure or
11 regulation include passage of the examination required for
12 licensure under this act and who ~~have~~has not been
13 disciplined in the other jurisdiction for unprofessional
14 conduct or a similar offense. The board may grant
15 licensure to an applicant who has been disciplined for
16 unprofessional conduct if in the board's judgment the
17 unprofessional conduct was sufficiently minor, has been
18 rectified or is sufficiently in the past so as not to
19 present a risk to the welfare or safety of Wyoming
20 patients.

21
22 **34-14-210. Extinguishment of claim for relief.**
23

1 (a) A claim for relief with respect to a fraudulent
2 transfer or obligation under this act is extinguished
3 unless an action is brought:

4

5 (ii) Under W.S. ~~31-14-205(a)(ii)~~
6 34-14-205(a)(ii) or 34-14-206(a), within four (4) years
7 after the transfer was made or the obligation was incurred;
8 or

9

10 **35-2-1203. Administration of finances; assessment and**
11 **levy of taxes.**

12

13 (a) The board of trustees of a senior health care
14 district shall administer the finances of the district
15 according to the provisions of the Uniform Municipal Fiscal
16 Procedures Act, except that an annual audit in accordance
17 with W.S. 16-4-121 is not required. Each senior health care
18 ~~special~~-district shall comply with the provisions of W.S.
19 9-1-507(a)(iii).

20

21 **37-18-102. Energy generation portfolio standards;**
22 **reporting requirements; rate recovery and limitations.**

23

1 (e) Beginning in 2023, and occurring every second
2 year thereafter, the commission shall report to the
3 legislature regarding ~~whether~~ implementation of the
4 electricity portfolio standards ~~is meeting the legislative~~
5 ~~declaration and findings~~ and recommend whether it should be
6 continued, modified or repealed. To the extent the
7 electricity portfolio standards is modified or
8 discontinued, nothing shall impair the ability of a public
9 utility that has incurred costs to comply with the
10 electricity portfolio standard to recover its prudently
11 incurred costs as authorized by the commission.

12

13 **Section 2.** W.S. 26-43-207, 35-1-901 and 35-1-903 are
14 repealed.

15

16 **Section 3.** This act is effective July 1, 2021.

17

18

(END)