

HOUSE BILL NO. HB0148

Special districts-animal control districts.

Sponsored by: Representative(s) Zwonitzer

A BILL

for

1 AN ACT relating to agriculture, livestock and other
2 animals; authorizing the creation of animal control
3 districts; providing for administration of animal control
4 districts through a board of directors; establishing duties
5 and powers of animal control district boards; granting
6 rulemaking authority for operations of the district;
7 specifying funding options for districts; requiring the
8 vote of electors to implement a tax; repealing a prior
9 provision; and providing for an effective date.

10

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

12

13 **Section 1.** W.S. 11-31-401 through 11-31-406 are
14 created to read:

15

16

ARTICLE 4

1 ANIMAL CONTROL DISTRICTS

2

3 11-31-401. Creation of animal control districts,
4 generally; definitions.

5

6 (a) Each county may create an animal control
7 district. Each district shall be known as the "Animal
8 Control District of . . . County, Wyoming," and the
9 district may hold property, sue and be sued and be a party
10 to suits and contracts.

11

12 (b) Animal control districts may be established:

13

14 (i) By the board of county commissioners of each
15 county; or

16

17 (ii) In accordance with the procedures for
18 petitioning, hearing and election of special districts set
19 forth in the Special Districts Elections Act of 1994.

20

21 (c) As used in this act:

22

1 (i) "Board" means the board of directors of an
2 animal control district;

3

4 (ii) "District" means an animal control district
5 as organized under the terms of this act;

6

7 (iii) "Voter" means a person who is a qualified
8 elector or an owner of land in an animal control district
9 or proposed district.

10

11 **11-31-402. Administration of districts by district**
12 **boards; elections, filling of vacancies.**

13

14 (a) The affairs of each district shall be
15 administered by a board of directors, each director shall
16 be a resident of the county in which the district is
17 formed. Each district may cooperate with the municipalities
18 within the district in a joint animal control program.

19

20 (b) An election of six (6) directors shall be held at
21 the next general election following the establishment of
22 the district. At that election three (3) directors shall be
23 elected for four (4) year terms and three (3) for two (2)

1 year terms. At each subsequent election, directors shall be
2 elected for and serve four (4) year terms.

3

4 (c) Any vacancy in a district director office shall
5 be declared and filled pursuant to W.S. 22-29-201 and
6 22-29-202.

7

8 **11-31-403. Board of directors; duties generally.**

9

10 (a) Each animal control district board of directors
11 shall:

12

13 (i) Implement and pursue an effective animal
14 control program and may cooperate with municipalities in a
15 joint animal control program;

16

17 (ii) Acquire or lease real property for the
18 purposes of creating, operating and managing an animal
19 shelter in the district or contract with municipalities in
20 the district to operate existing animal shelters;

21

1 (iii) Administer funds received pursuant to W.S.
2 11-31-405 and from other sources to carry out the animal
3 control program;

4

5 (iv) Hold regular meetings, which shall occur at
6 least once each month and be open to the public;

7

8 (v) Keep minutes of all meetings and a complete
9 record of all official acts that shall be open for public
10 inspection.

11

12 **11-31-404. Board of directors; powers generally.**

13

14 (a) Each animal control district board of directors
15 may:

16

17 (i) Cooperate with municipalities in a joint
18 animal control program;

19

20 (ii) Appoint employees and assistants to operate
21 and maintain animal shelters and fix the employees'
22 compensation;

23

1 (iii) Employ animal control officers who shall
2 have the authority to enforce the animal control
3 regulations and ordinances of the county and municipalities
4 within each district to further the purpose of the animal
5 control program;

6

7 (iv) Enter into cooperative agreements with
8 boards of county commissioners, other animal control
9 districts and federal or state agencies for purposes
10 related to an animal control program;

11

12 (v) Adopt rules and regulations necessary for
13 proper operation of the district and shall file them with
14 the county clerk of the county in which the district is
15 located.

16

17 **11-31-405. Funding and donations.**

18

19 (a) The board of county commissioners may levy a tax
20 not exceeding one (1) mill of assessed valuation upon the
21 taxable property in the county of the district. The tax is
22 not part of the general county or city mill levies. All
23 taxes levied and collected shall be remitted to the

1 district and shall be deposited into a separate fund which
2 shall be used only to carry out the purposes of an animal
3 control program.

4

5 (b) Whether or not a tax levy is authorized under
6 W.S. 11-31-406, each board of county commissioners may make
7 appropriations from the county general fund to districts
8 established under this act for the purpose of providing
9 animal control programs.

10

11 (c) The board of directors may receive donations and
12 appropriations of money from any source, and such donations
13 and appropriations shall be placed in the separate fund
14 created in subsection (a) of this section.

15

16 **11-31-406. Imposition of tax; vote of electors**
17 **required.**

18

19 (a) No tax shall be imposed under W.S. 11-31-405
20 until the proposition to impose the tax is submitted to a
21 vote of the voters of the district and a majority of those
22 casting their ballots vote in favor of imposing the tax.
23 Any tax imposed under this act shall be levied in the year

1 following the election at which the imposition of the tax
2 is approved.

3

4 (b) The proposition to impose a tax under this act
5 shall be at the expense of the county and may be submitted
6 to the voters of the county upon receipt by the board of
7 county commissioners of a petition requesting the
8 proposition signed by a majority of the board of directors
9 of the district. The proposition shall be put on an
10 election ballot at the direction and under the supervision
11 of the board of county commissioners.

12

13 (c) Subject to the limitation of subsection (b) of
14 this section, the proposition to impose a tax under this
15 act shall be submitted on an election date authorized under
16 W.S. 22-21-103, or by mail ballot pursuant to W.S.
17 22-29-115 and 22-29-116. A notice of election shall be
18 given by the county clerk in at least one (1) newspaper of
19 general circulation published in the county wherein the
20 election is to be held and shall specify the object of the
21 election. The notice shall be published at least once each
22 week for a thirty (30) day period preceding the election.
23 At the election the ballots shall contain the words "for

1 the animal control district tax" and "against the animal
2 control district tax". Upon the initial submission of the
3 animal control district tax, or upon any renewal, the
4 district board shall choose one (1) of the following
5 options and the words of the chosen option shall be clearly
6 printed in the appropriate area on the election ballot:

7

8 (i) If this proposition is approved, the same
9 proposition shall be submitted at the second following
10 general election or by mail ballot pursuant to W.S.
11 22-29-115 and 22-29-116, and at succeeding general
12 elections or by mail ballot pursuant to W.S. 22-29-115 and
13 22-29-116, every four (4) years until the proposition is
14 defeated; or

15

16 (ii) If this proposition is approved, the tax
17 shall remain in effect until a petition to discontinue the
18 tax, signed by not less than ten percent (10%) of the
19 voters of the district, is received by the board of county
20 commissioners, and the proposal to discontinue the tax is
21 approved by the voters. The proposal to discontinue the
22 tax shall be submitted to the voters of the district at the
23 expense of the county at the next general election or by

1 mail ballot pursuant to W.S. 22-29-115 and 22-29-116 for
2 approval or disapproval.

3

4 **Section 2.** W.S. 11-31-301(j) is repealed.

5

6 **Section 3.** This act is effective July 1, 2022.

7

8 (END)