

ENROLLED ACT NO. 87, HOUSE OF REPRESENTATIVES

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

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

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

Section 1. W.S. 9-2-1014(e)(ii), 9-4-108(a)(iii), 11-25-104(k), 14-2-308(a)(ii)(B), 14-3-415(a), 14-4-102(b)(vii), 16-1-301(a)(i), 16-6-801(a)(viii), 17-16-1630(e), 17-29-407(b)(ii)(A), 21-3-307(d), 21-13-713, 21-15-121(a)(iii) and (v), 21-24-102(a)(i), 21-24-103(a)(i), 26-35-101, 31-2-217(a), 31-5-102(a)(lix), 31-18-403(j), 33-15-108(g), 33-30-204(m)(xii), 34-19-101(a)(v), 39-11-101(a)(xviii), 39-13-109(c)(vi)(intro) and 39-15-105(b)(intro) are amended to read:

9-2-1014. Report required with budget request; format and contents of report; compilation of compendium of agency reports; distribution of copies.

(e) In making its recommendations, the committee shall consider:

(ii) The amount of funds available within the legislative stabilization reserve account and other expendable funds, and limitations on recommended contingent appropriations from the legislative stabilization reserve account under this section and W.S. 9-2-1013(d)(v);

9-4-108. Crediting of investment returns.

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(a) Earnings on state funds invested by the state treasurer shall be credited to accounts or funds as provided by law and as follows:

(iii) Any debit against the account or fund which exists as a result of realized investment losses from a prior ~~years'~~year's investments of the fund or account shall be paid before distributions under paragraph (ii) of this subsection;

11-25-104. Gaming commission; officers; director; meetings; quorum; records; licenses generally; effect of financial interest in events.

(k) The commission shall access criminal history record information for all operators and vendors under article 3 of this chapter ~~3 of this article~~ and all licensees, permittees and employees of the commission under W.S. 9-1-627(d) for the purposes of this act. Every applicant for a permit or license under this act shall provide the commission fingerprints and other information necessary for a criminal history record background check as provided under W.S. 7-19-201.

14-2-308. Definitions.

(a) As used in this act:

(ii) "Authorized agency" means:

(B) A private child welfare agency certified by the state for such purposes pursuant to W.S. ~~14-6-201 through 14-6-243, 14-4-101 through 14-4-116,~~ 1-22-101 through 1-22-114, 14-4-101 through 14-4-117 or 14-6-201 through 14-6-243;

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14-3-415. Presence of parent, custodian or guardian at hearing; failure to appear; avoidance of service; issuance of bench warrant.

(a) The court shall ~~insure~~ensure the presence at any hearing of the parents, guardian or custodian of any child subject to the proceedings under this act.

14-4-102. Certification required; exceptions.

(b) W.S. 14-4-101 through 14-4-111 do not apply to:

(vii) Ranches or farms not offering services to children who are homeless, delinquent or have an intellectual disability;~~and~~

16-1-301. Definitions.

(a) As used in this article:

(i) "Account" means the state drinking water revolving loan account created by W.S. 16-1-302;

16-6-801. Definitions.

(a) As used in this article:

(viii) "Works of art" means any ~~frescoe~~fresco, mosaic, sculpture, drawing, painting, photograph, calligraphy, graphic art, stained glass, wall hanging, tapestry, fountain, ornamental gateway, monument, display, architectural embellishment, craft, architectural landscape or any work of mixed media by an artist.

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17-16-1630. Filing of reports and payment of tax required; amount of tax; exemptions; records.

(e) Every corporation registered or authorized to do business in the state of Wyoming shall preserve for three (3) years at its principal place of business, suitable records and books as may be necessary to determine the amount of tax for which it is liable ~~for~~ under this act. All records and books shall be available for examination by the secretary of state or his designee during regular business hours except as arranged by mutual consent.

17-29-407. Management of limited liability company.

(b) In a member-managed limited liability company, unless the articles of organization or the operating agreement provide otherwise, the following rules apply:

(ii) Each member has equal rights in the management and conduct of the company's activities except:

(A) ~~That~~ When a member's interest is otherwise defined in W.S. ~~17-29-102(a)(xxiv)~~ 17-29-102(a)(xxv);

21-3-307. Charter application; contents; phased-in application process.

(d) The state superintendent shall through rule and regulation prescribe a uniform charter school application and renewal application form to be used by each authorizer and charter school applicant for purposes of this article, and shall establish charter school application review procedures, including timelines for application components specified under subsection (a) of this section. The phased

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application process prescribed by state superintendent rule and regulation may provide a process for mediation of disputes concerning completeness of an application between the applicant and authorizer, which would be subject to W.S. 1-43-101 through 1-43-104, would allow either party to initiate mediation and would impose costs of mediation equally upon both parties. Any mediation process prescribed by rule shall specify professional requirements for the impartial third party facilitating mediation. If either party refuses to mediate, the dispute may be appealed to the state board, ~~as provided in W.S. 21-3-310.~~

21-13-713. Tax levy.

~~Subject to W.S. 21-15-105,~~ The board of county commissioners shall cause to be levied annually upon all taxable property of the school district, in addition to other authorized taxes, a sufficient sum to pay the principal and interest on school district bonds as the payments thereon become due. All taxes for the repayment of bonded indebtedness shall be levied, assessed, and collected in the same manner as other taxes for school purposes. The taxes shall be levied in the manner prescribed above until the principal and interest of the bonds are fully paid.

21-15-121. Annual school building status report to select committee on school facilities.

(a) Not later than September 1 of each year, the commission shall submit a report to the select committee on school facilities on progress being made under the school capital facilities system established under this act. The report shall be incorporated into the proposed budget

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submitted to the select committee under W.S. 21-15-119 and shall include:

(iii) Use of major building and facility repair and replacement funds which have addressed buildings and facilities identified under W.S. 21-15-117(a), including the impact of expenditures of these funds, as quantified pursuant to any needs assessment under W.S. 21-15-117(a), on building condition as reported under paragraph (i) of this subsection and on the capacity, ~~educational suitability and technology readiness~~ of these buildings and facilities;

(v) The impact of expenditures on the building and facility scores for condition, ~~educational suitability and technology readiness, including~~ computed building capacity;

21-24-102. Definitions.

(a) As used in this compact, unless the context clearly requires a different construction:

(i) "Active duty" means full-time duty status in the active uniformed service of the United States, including members of the national guard and reserve on active duty orders pursuant to 10 U.S.C. ~~sections~~ chapters 1209 and 1211;

21-24-103. Applicability.

(a) Except as otherwise provided in subsection (b) of this section, this compact shall apply to the children of:

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(i) Active duty members of the uniformed services as defined in this compact, including members of the national guard and reserve on active duty orders pursuant to 10 U.S.C. ~~sections~~chapters 1209 and 1211;

26-35-101. Manner of providing notice.

Notices required by this chapter shall be personally delivered to the insured and the agent or shall be mailed to the insured and the agent at their addresses last of record with the ~~insured~~insurer. If mailed, notice shall be deemed given when deposited in the United States mail, postage prepaid. Proof of mailing shall be sufficient proof of notice.

31-2-217. Special plates; Pearl Harbor survivors; national guard members; armed forces veterans; purple heart recipients.

(a) The county treasurer shall issue one (1) set of special license plates to each applicant for either a passenger car, truck, motorcycle, handicapped motorcycle or motor home owned or leased by a survivor of Pearl Harbor, a member of the Wyoming army or air national guard, a purple heart recipient or honorably discharged veteran of the United States armed forces in accordance with this section for the year 1990 and thereafter. For the year 1993 and thereafter, the county treasurer shall issue one (1) set of special license plates to each applicant for either a passenger car, truck, motorcycle, handicapped motorcycle or motor home owned by a purple heart recipient. These license plates shall be displayed upon the vehicle for which they are issued.

31-5-102. Definitions.

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(a) Except as otherwise provided, as used in this act:

(lix) "This act" means W.S. 31-5-101 through ~~31-5-1601~~ 31-5-1701;

31-18-403. Single trip permits; temporary permits for motion picture industry vehicles, tour buses and mobile drilling rigs.

(j) An operator of a mobile drilling rig operated interstate and used in the production of gas, crude petroleum or oil which is constructed as a machine consisting in general of a mast, an engine for power and propulsion, a draw works and a chassis permanently constructed or assembled for the vehicle may obtain a single trip permit from the department in accordance with ~~subsection (a) of this section and~~ W.S. 31-18-201(s). Vehicles making an intrastate move shall be registered in Wyoming. Vehicles already registered in Wyoming need only notify the highway patrol when the vehicle is to be moved on a highway. Compliance with this section exempts the operator from all fees and inspections otherwise required by the commission [department] or its agents.

33-15-108. Licensing; qualifications; examinations; fees.

(g) The board shall make and prescribe all reasonable rules for its ~~government~~ governance and for the conduct of its business.

33-30-204. Board of veterinary medicine.

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(m) The board is empowered to:

(xii) Adopt, amend, or repeal all rules necessary for its ~~government~~governance and all regulations necessary to carry into effect the provision of this act including the establishment and publication of standards of professional conduct for the practice of veterinary medicine;

34-19-101. Definitions.

(a) As used in this act:

(v) "This act" means W.S. 34-19-101 through ~~34-19-106~~34-19-107.

39-11-101. Definitions.

(a) As used in this act unless otherwise specifically provided:

(xviii) "This act" means W.S. 39-11-101 through ~~39-22-111~~39-23-111.

39-13-109. Taxpayer remedies.

(c) Refunds. The following shall apply:

(vi) Each county shall have the option to implement a county-optional property tax refund program ~~which, that~~ is in addition to the program established under paragraph (v) of this subsection, upon adoption of rules as required by subparagraph (H) of this paragraph. The following shall apply to a county-optional property tax refund program implemented under this paragraph:

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39-15-105. Exemptions.

(b) The Wyoming business council, the department of workforce services and the department of revenue shall jointly report to the joint revenue interim committee on or before December 1 of each year that the exemption provided by subparagraph (a)(viii)(O), ~~(Q)~~, (R), (S) or (U) of this section is in effect. If requested by the department of revenue, any person utilizing the exemption under subparagraph (a)(viii)(O) of this section shall report to the department the amount of sales tax exempted, and the number of jobs created or impacted by the utilization of the exemption. The report shall evaluate the cumulative effects of each exemption that is in effect from initiation of the exemption and shall include:

Section 2. W.S. 21-16-1307(c) is repealed.

Section 3. 2023 Wyoming Session Laws, Chapter 46, Sections 3 and 4 are amended to read:

Section 3. The department of environmental quality is authorized up to two (2) additional full-time positions for the period beginning with the effective date of this act and ending June 30, 2026 for purposes of implementing this act. It is the intent of the legislature that the department of environmental quality include these full-time positions in its ~~2026-2027~~ 2027-2028 standard budget request.

Section 4. There is appropriated one million eight hundred forty thousand dollars (\$1,840,000.00) from the general fund to the

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department of environmental quality for the period beginning with the effective date of this act and ending June 30, 2026 to be expended only for purposes of entering into an agreement with the nuclear regulatory commission as authorized by W.S. 35-11-2001(a), as provided by section 1 of this act, and for establishing a program to assume regulatory authority over source material recovered from any mineral resources processed for purposes other than obtaining the source material content. This appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2026. It is the intent of the legislature that this appropriation be included in the standard budget of the department of environmental quality for the ~~2026-2027~~2027-2028 fiscal biennium through a general fund appropriation.

Section 4.

(a) Except as otherwise provided in subsection (b) of this section, any other act adopted by the Wyoming legislature during the same session in which this act is adopted shall be given precedence and shall prevail over the amendments in this act to the extent that such acts are in conflict with this act.

(b) Section 3 of this act shall be given precedence and shall prevail over Sections 3 and 4 of 2023 Wyoming Session Laws, Chapter 46, as enacted by the Wyoming legislature during the 2023 general session.

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Section 5.

(a) Except as otherwise provided in this section, this act is effective July 1, 2023.

(b) Sections 3, 4 and 5 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk