

ENROLLED ACT NO. 12, HOUSE OF REPRESENTATIVES

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

AN ACT relating to the administration of government; continuing the coal-fired facility closures litigation funding account; amending permissible purposes and uses for the coal-fired facility closures litigation funding account for commencing and prosecuting lawsuits against states relating to coal exportation and coal-fired electric generation facilities; making conforming amendments; requiring reports; and providing for an effective date.

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

**Section 1.**

(a) The account created by 2021 Wyoming Session Laws, Chapter 112, Section 2 is continued. Any funds in the account on the effective date of this act shall remain in the account. Funds shall not be transferred or expended for any purpose other than administering and enforcing the provisions of this section. The funds in the account shall be continuously appropriated to the office of the governor for the purposes of funding any litigation expenses incurred in accordance with this section. Any unexpended, unobligated funds remaining in the account shall revert as provided by law on June 30, 2026.

(b) The governor may expend funds from the account under subsection (a) of this section for the purposes of intervening in, defending, commencing or prosecuting lawsuits against the federal government and its agencies, other states or other states' agencies and local governments that enact and enforce laws or regulations, or other actions by the federal government, other states, local governments or third parties, that impermissibly impede Wyoming's ability to export coal, that cause the early retirement of coal-fired electric generation

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facilities located in Wyoming, that result in the decreased use of Wyoming coal or the closure of coal-fired electric generation facilities that use Wyoming coal.

(c) On or before October 1, 2023 and each year thereafter until October 1, 2026, the governor and the attorney general shall report to the joint appropriations committee and the joint minerals, business and economic development interim committee on:

(i) The expenditure of any funds in the account to challenge laws or other actions authorized in accordance with this section;

(ii) The status of any litigation initiated, intervened in, defended, prosecuted or concluded using the funds in the account under subsection (a) of this section. The governor and attorney general may present the information required by this paragraph in executive session.

**Section 2.** 2021 Wyoming Session Laws, Chapter 112 is repealed.

ORIGINAL HOUSE  
BILL NO. HB0069

ENGROSSED

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**Section 3.** This act is 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