

HOUSE BILL NO. HB0069

Coal-fired facility closures litigation funding-amendments.

Sponsored by: Representative(s) Larsen, L and Knapp and
Senator(s) Barlow and Dockstader

A BILL

for

1 AN ACT relating to the administration of government;
2 amending permissible purposes and uses of a previous
3 appropriation for commencing and prosecuting lawsuits
4 against states relating to coal exportation and coal-fired
5 electric generation facilities; making conforming
6 amendments; and providing for an effective date.

7

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

9

10 **Section 1.** 2021 Wyoming Session Laws, Chapter 112,
11 Sections 2 and 3(a)(i) and (ii) is amended to read:

12

13 **Section 2.** There is appropriated one
14 million two hundred thousand dollars
15 (\$1,200,000.00) from the general fund to the

1 office of the governor for purposes of
2 intervening in, defending, commencing and
3 prosecuting lawsuits against the federal
4 government and its agencies and other states and
5 other states' agencies that enact and enforce
6 laws, and regulations, or other actions by the
7 federal government, other states or third parties
8 that impermissibly impede Wyoming's ability to
9 export coal, ~~or~~ that cause the early retirement
10 of coal-fired generation facilities located in
11 Wyoming or that result in the decreased use of
12 Wyoming coal or the closure of coal-fired
13 electric generation facilities that use Wyoming
14 coal. This appropriation shall be for the period
15 beginning with the effective date of this act and
16 ending June 30, 2030. This appropriation shall
17 not be transferred or expended for any other
18 purpose and any unexpended, unobligated funds
19 remaining from this appropriation shall revert as
20 provided by law on June 30, 2030. There is
21 created an account within the office of the
22 governor into which the funds appropriated under
23 this section as created by this act shall be

1 deposited. The funds in the account shall be
2 continuously appropriated to the office of the
3 governor for the purposes of funding any
4 litigation expenses incurred in accordance with
5 this act.

6
7 **Section 3.**

8
9 (a) On or before October 1, 2021 and each
10 year thereafter until October 1, 2030, the
11 governor and the attorney general shall report to
12 the joint appropriations committee and the joint
13 minerals, business and economic development
14 interim committee on:

15
16 (i) The expenditure of any funds
17 appropriated in section 2 of this act for
18 litigation to challenge laws or other actions
19 that impede the export of Wyoming coal or the
20 continued operation of Wyoming's coal-fired
21 electric generation facilities, including early
22 retirements of those facilities, and any
23 litigation the state has intervened in,

1 commenced, defended or prosecuted in accordance
2 with section 2 of this act;

3

4 (ii) The status of any litigation
5 initiated, intervened in, defended, prosecuted or
6 concluded using the funds appropriated in section
7 2 of this act. The governor and attorney general
8 may present the information required by this
9 paragraph in executive session;

10

11 **Section 2.** This act is effective immediately upon
12 completion of all acts necessary for a bill to become law
13 as provided by Article 4, Section 8 of the Wyoming
14 Constitution.

15

16

(END)