

HOUSE BILL NO. HB0116

Prohibiting foreign property ownership in Wyoming.

Sponsored by: Representative(s) Allemand, Banks, Haroldson,
Jennings, Penn, Slagle, Smith, Strock,
Styvar, Tarver, Ward and Winter and
Senator(s) Biteman and Steinmetz

A BILL

for

1 AN ACT relating to property; restricting foreign ownership
2 of land and other interests in Wyoming as specified;
3 defining terms; requiring registration as specified;
4 authorizing enforcement of ownership restrictions as
5 specified; providing a civil penalty; requiring the
6 inclusion of notices of foreign ownership in assessment
7 schedules and tax statements; specifying applicability;
8 requiring rulemaking; and providing for an effective date.

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

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12 **Section 1.** W.S. 34-15-104 is created to read:

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1 **34-15-104. Restriction on foreign ownership of land;**
2 **registration; penalty; enforcement.**

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4 (a) As used in this section:

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6 (i) "Foreign business" means a corporation
7 incorporated under the laws of a foreign government or a
8 business entity, whether or not incorporated, in which a
9 majority interest is owned or controlled directly or
10 indirectly by foreign persons or by a foreign government.
11 Legal entities including trusts, holding companies,
12 multiple corporations or other entities with other business
13 arrangements shall not affect the determination of
14 ownership or control of a foreign business;

15
16 (ii) "Foreign government" means a government of:

17
18 (A) Russia;

19
20 (B) China;

21
22 (C) Any country that has been designated as
23 a state sponsor of terrorism under federal law.

1

2 (iii) "Foreign person" means a person who is a
3 citizen of:

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5 (A) Russia;

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7 (B) China;

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9 (C) A country that has been designated as a
10 state sponsor of terrorism under federal law.

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12 (iv) "Land" means real property or real estate
13 and any surface, subsurface, airspace or mineral interest
14 in Wyoming.

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16 (b) No foreign government, foreign business or
17 foreign person, or any agent, trustee or fiduciary thereof,
18 shall purchase or otherwise acquire land in Wyoming except
19 for use as a personal residence and not to exceed one (1)
20 acre. A foreign government, foreign business or foreign
21 person, or any agent, trustee or fiduciary thereof, that
22 owns or holds land in Wyoming on July 1, 2023 shall divest
23 of all right, title and interest in the land not later than

1 two (2) years after July 1, 2023, unless the holding or
2 ownership is for a personal residency and satisfies the
3 requirements of this subsection.

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5 (c) A foreign business, foreign government or foreign
6 person, or any agent, trustee or fiduciary thereof, that
7 owns an interest in land in Wyoming in accordance with
8 subsection (b) of this section on or after July 1, 2023
9 shall register the ownership of the land with the secretary
10 of state. The registration shall be in a form and manner
11 prescribed by the secretary of state and shall contain the
12 name of the owner, the location of the land, the number of
13 acres of the land by county and, if the owner is an agent,
14 trustee or fiduciary of a foreign business, foreign
15 government or foreign person, the name of any principal for
16 whom that land was purchased or acquired. The registration
17 shall be made not later than sixty (60) days after July 1,
18 2023 and shall be updated annually on or before March 31 of
19 each year.

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21 (d) A foreign business, foreign government or a
22 foreign person, or any agent, trustee or fiduciary thereof,
23 who fails to register or timely register as required by

1 subsection (c) of this section shall be liable for a civil
2 penalty of five thousand dollars (\$5,000.00) for each day
3 that the foreign business, foreign government or a foreign
4 person, or any agent, trustee or fiduciary thereof, is not
5 in compliance with subsection (c) of this section.

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7 (e) Each county clerk shall report to the secretary
8 of state if a foreign entity, foreign government or foreign
9 person, or any agent, trustee or fiduciary thereof,
10 purchases or acquires land in the county in violation of
11 this section or if the clerk suspects that land was
12 purchased or acquired in the county by a foreign entity,
13 foreign government or foreign person.

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15 (f) The secretary of state shall report any violation
16 of this section to the attorney general if the secretary of
17 state finds that a foreign business, foreign government or
18 foreign person, or any agent, trustee or fiduciary thereof,
19 has acquired or holds title to or an interest in land in
20 Wyoming in violation of this section or has failed to
21 register as required by this section. The attorney general
22 may take any action necessary to enforce the provisions of

1 this section, including initiating an action in the
2 district court of any county in which the land is located.

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4 **Section 2.** W.S. 39-13-103(b)(viii) and
5 39-13-107(b)(i)(C) are amended to read:

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7 **39-13-103. Imposition.**

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9 (b) Basis of tax. The following shall apply:

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11 (viii) Every assessment schedule sent to a
12 taxpayer shall contain the property's estimated fair market
13 value for the current and previous year, or, productive
14 value in the case of agricultural property. The schedule
15 shall also contain the assessment ratio as provided by
16 paragraph (b)(iii) of this section for the taxable
17 property, the amount of taxes assessed on the taxable
18 property from the previous year, and an estimate of the
19 taxes which will be due and payable for the current year
20 based on the previous year's mill levies. The schedule
21 shall also contain information stating that foreign
22 ownership of property in Wyoming is prohibited and
23 describing the requirement to register foreign ownership of

1 property with the secretary of state as provided by W.S.
2 34-15-104. The schedule shall contain a statement of the
3 process to contest assessments as prescribed by W.S.
4 39-13-109(b)(i);

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6 **39-13-107. Compliance; collection procedures.**

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8 (b) The following provisions shall apply to the
9 payment of taxes, distraint of property and deferral:

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11 (i) The following shall apply to the payment of
12 taxes due:

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14 (C) Annually, on or before October 10 the
15 county treasurer shall send a written statement to each
16 taxpayer by mail at his last known address or, if offered
17 by the county and upon request of the taxpayer, by
18 electronic transmission of the total tax due, itemized as
19 to property description, assessed value and mill levies.
20 The notice shall contain information, including contact
21 information, of any property tax relief program authorized
22 by state law. The notice shall contain information stating
23 that foreign ownership of property in Wyoming is prohibited

1 and describing the requirement to register foreign property
2 with the secretary of state as provided by W.S. 34-15-104.

3 Failure to send notice, or to demand payment of taxes, does
4 not invalidate any taxes due;

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6 **Section 3.** Except as provided in W.S. 34-15-104(b),
7 as created by section 1 of this act, nothing in this act
8 shall be construed to divest, extinguish or sever any
9 interest in or claim to real property, real estate,
10 surface, subsurface, airspace and mineral interests in
11 Wyoming.

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13 **Section 4.** The secretary of state shall promulgate
14 all rules necessary to implement the provisions of this
15 act.

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17 **Section 5.** This act is effective immediately upon
18 completion of all acts necessary for a bill to become law
19 as provided by Article 4, Section 8 of the Wyoming
20 Constitution.

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(END)