

SENATE FILE NO. SF0043

EMS districts.

Sponsored by: Senator(s) Case and Representative(s) Larsen,  
L

A BILL

for

1 AN ACT relating to improvement and service districts;  
2 providing an alternative proceeding to form a district to  
3 provide emergency medical services by resolution of a board  
4 of county commissioners; specifying the appointment of the  
5 board of directors of the district; specifying taxation  
6 requirements; and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 18-12-105, 18-12-113(a), (d) and by  
11 creating a new subsection (e) and 18-12-119(b) through (d)  
12 are amended to read:

13

14 **18-12-105. Commencement of districts; districts to**  
15 **provide emergency medical services.**

1

2       (a) Proceedings for the formation of a—~~an improvement~~  
3 and service district under this act, except a district to  
4 provide emergency medical services formed pursuant to  
5 subsection (b) of this section, shall be commenced by  
6 filing a petition addressed to the commissioners of the  
7 county in which the land proposed to be included in the  
8 district is situated. The petition shall be accompanied by  
9 a filing fee of two hundred dollars (\$200.00).

10

11       (b) After July 1, 2023, as an alternative to forming  
12 a district under subsection (a) of this section, a district  
13 to provide emergency medical services under W.S.  
14 18-12-112(a)(xxii) may be established by resolution of the  
15 board of county commissioners. A resolution under this  
16 subsection shall establish one (1) or more districts to  
17 provide emergency medical services composed of any portion  
18 of the county. Areas may be added to or subtracted from an  
19 existing district by resolution of the board of county  
20 commissioners. Not less than sixty (60) days before any  
21 resolution pursuant to this subsection is signed, the board  
22 of county commissioners shall submit the proposed  
23 boundaries of the district to the county assessor and the

1 department of revenue for review for any conflict, overlap,  
2 gap or other boundary issue. The assessor and the  
3 department may make written comments thereon to the county  
4 commissioners. The board of county commissioners may  
5 dissolve a district established under this subsection in  
6 accordance with W.S. 18-3-525.

7  
8 **18-12-113. District board of directors.**

9  
10 (a) ~~The~~ Except for districts to provide emergency  
11 medical services established under W.S. 18-12-105(b) as  
12 provided in subsection (e) of this section, an improvement  
13 and service district shall be managed and controlled by a  
14 board of directors consisting of three (3) or five (5)  
15 members. The initial board shall consist of three (3) or  
16 five (5) members elected at the organizational election. A  
17 simple majority of members shall serve an initial term of  
18 two (2) years and the remaining members shall serve an  
19 initial term of four (4) years after formation of the  
20 district and until their successors are elected and  
21 qualified at the regular scheduled subsequent director  
22 election as provided in W.S. 22-29-112. Thereafter,  
23 members shall be elected for terms of four (4) years. A

1 vacancy occurring on the board during the term of an  
2 original director or his successor shall be filled as  
3 provided in the Special District Elections Act of 1994.

4  
5 (d) Notwithstanding subsection (a) of this section  
6 and except as provided by subsection (e) of this section,  
7 any district may increase or decrease the membership of its  
8 board from three (3) to five (5) members if a proposition  
9 for the modification is submitted to a vote of the  
10 qualified electors of the district and a majority of those  
11 casting their ballots vote in favor of the increase or  
12 decrease. Additional offices created under this subsection  
13 shall be filled as provided in W.S. 22-29-112(a). At the  
14 election, not more than one (1) member shall be elected for  
15 a term of two (2) years, and the election ballots shall so  
16 state. Each term shall otherwise be four (4) years. A  
17 vote to decrease membership shall be in the election  
18 preceding the election of three (3) members.

19  
20 (e) After July 1, 2023, if a district to provide  
21 emergency medical services is established under W.S.  
22 18-12-105(b), the board of county commissioners shall  
23 appoint not less than three (3) nor more than nine (9)

1 residents of the district to constitute the board of  
2 directors of the district. Appointees shall serve a term of  
3 three (3) years and may be reappointed. Terms of office  
4 shall be staggered.

5

6 **18-12-119. Duty of county officials to levy and**  
7 **collect taxes.**

8

9 (b) For any district established to provide emergency  
10 medical services, ~~under W.S. 18-12-112(a)(xxii)~~ at the time  
11 of making the levy for county purposes, the county shall  
12 levy a tax for that year upon the taxable property in the  
13 district in its county for its proportionate share based on  
14 assessed valuation of the estimated amount of funds needed  
15 by each district providing emergency medical services, ~~but,~~  
16 ~~except~~ as provided in this subsection. ~~, in no case shall~~ If  
17 the district was formed under W.S. 18-12-105(a) and is  
18 providing emergency medical services under W.S.  
19 18-12-112(a)(xxii), the tax for the district shall not  
20 exceed in any one (1) year the amount of two (2) mills on  
21 each dollar of assessed valuation of the property. ~~Up to~~  
22 unless up to an additional two (2) mills ~~may be imposed on~~  
23 ~~each dollar of assessed valuation of the property if is~~

1 approved by the board of directors and ~~if~~ approved by the  
2 electors as provided in subsection (c) of this section. If  
3 the district was formed under W.S. 18-12-105(b) as a  
4 district to provide emergency medical services, the tax for  
5 the district shall not exceed four (4) mills if the mills  
6 are approved by the board of directors and approved by the  
7 electors as provided in subsection (c) of this section.

8  
9 (c) If the board of directors votes to ~~increase the~~  
10 ~~mill levy beyond two (2)~~ impose mills ~~as authorized by that~~  
11 require approval by the electors under subsection (b) of  
12 this section, the board of county commissioners shall call  
13 an election within the district upon the question of  
14 whether the mill levy should be ~~increased beyond two (2)~~  
15 ~~mills imposed~~. The election shall be called, conducted and  
16 canvassed as provided for bond elections by the Political  
17 Subdivision Bond Election Law, W.S. 22-21-101 through  
18 22-21-112, on the first date authorized under W.S.  
19 22-21-103 which is not less than sixty (60) days after the  
20 board of directors votes to ~~increase the~~ impose any mill  
21 levy ~~beyond two (2) mills that requires the approval of the~~  
22 electors under subsection (b) of this section. In no event  
23 shall the tax in a district providing emergency medical

1 services exceed in any one (1) year the amount of four (4)  
2 mills on each dollar of assessed valuation of property.  
3 The ~~increase in~~ mill levy is effective only if the question  
4 is approved by a majority of those voting thereon within  
5 the district providing emergency medical services. The  
6 cost of any special election under this subsection shall be  
7 borne by the board of directors.

8  
9 (d) If the proposition to authorize ~~an additional~~ a  
10 mill levy is approved, the tax shall remain in effect until  
11 a petition to discontinue the tax, signed by not less than  
12 ten percent (10%) of the voters of the district, is  
13 received by the board of county commissioners, at which  
14 time the proposal to discontinue the tax shall be submitted  
15 to the voters of the district at the expense of the county  
16 at the next general election. If the proposition to impose  
17 or discontinue the tax is defeated, the proposition shall  
18 not again be submitted to the electors for at least  
19 twenty-three (23) months.

20

21 **Section 2.** This act is effective July 1, 2023.

22

23

(END)