

SENATE FILE NO. SF0107

Acquisition, exchange and sale of trust lands.

Sponsored by: Senator(s) Hicks and Representative(s)
Western

A BILL

for

1 AN ACT relating to state lands; providing for the
2 acquisition, exchange or sale of state trust lands as
3 specified; designating criteria for the sale and exchange
4 of state trust lands; allowing for farm loans to purchase
5 specified state trust lands; and providing for an effective
6 date.

7

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

9

10 **Section 1.** W.S. 36-2-111 is created to read:

11

12 **36-2-111. Acquisition, exchange and sale of trust**
13 **lands.**

14

1 (a) When determined by the board to be consistent
2 with the duties and obligations owed to state trust land
3 beneficiaries, the board is authorized to acquire, exchange
4 or sell a fee title interest in state trust lands provided
5 that no acquisition or exchange shall result in a net
6 increase of trust lands greater than ten thousand (10,000)
7 acres above the total trust land acreage held by the state
8 on July 1, 1999.

9

10 (b) Notwithstanding subsection (a) of this section,
11 the board may acquire a fee title interest in trust lands
12 through a single transaction that results in a net increase
13 of trust lands over the limit specified in subsection (a)
14 of this section, provided that additional sales or
15 exchanges shall be conducted within twenty-four (24) months
16 of the acquisition to bring the total trust land acreage
17 within the limits specified in subsection (a) of this
18 section.

19

20 (c) To the extent possible, the board shall strive to
21 balance the acquisition, exchange and sale of state trust
22 lands under this section to maintain the total amount of
23 trust land acreage and the proportion of trust land acreage

1 between each county at the levels held by the state on July
2 1, 1999.

3

4 **Section 2.** W.S. 11-34-109(a)(i), 36-1-101(a) by
5 creating a new paragraph (viii) and by amending and
6 renumbering (viii) as (ix), 36-1-111(a)(i) and
7 36-9-101(a)(i) are amended to read:

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9 **11-34-109. Purposes for which loans authorized.**

10

11 (a) Loans may be made for the following agriculture
12 related purposes and no other:

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14 (i) To provide for the purchase of farm lands
15 including the purchase under W.S. 36-9-101(a)(i) of an
16 isolated parcel of state trust land that is eighty (80)
17 acres or less;

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19 **36-1-101. Definitions.**

20

21 (a) Unless the context indicates otherwise, as used
22 in this act:

23

1 (viii) "Isolated parcel" means a parcel of state
2 trust land surrounded by non-state lands and without access
3 to the parcel;

4
5 ~~(viii)~~(ix) "This act" means W.S. 36-1-101
6 through 36-3-111, 36-5-101 through 36-7-510 and 36-9-101
7 through 36-9-120.

8
9 **36-1-111. Orders, rules and regulations relative to**
10 **exchange of lands.**

11
12 (a) The board of land commissioners is hereby
13 authorized and empowered to pass and promulgate all such
14 orders, rules and regulations as may be necessary or
15 required relative to the appraisal and valuation of the
16 lands to be exchanged as provided in this act, and to
17 provide for the execution of conveyances, contracts and
18 other instruments pertaining to the exchange of the lands,
19 and to enable the director to effect and complete each
20 exchange of the lands. The board may authorize the purchase
21 of lands only in an amount necessary to effect and complete
22 the exchange of state-owned lands for other lands and only
23 for those lands identified in the authorization of

1 purchase. The board shall not use the power of eminent
2 domain pursuant to W.S. 1-26-801 et seq. to purchase any
3 lands under this section. The board of land commissioners
4 is authorized to promulgate rules and regulations necessary
5 to implement the exchange of state lands on a value for
6 value basis. The exchange program may authorize a cash
7 equalization receipt or payment of up to twenty-five
8 percent (25%) of the value of the lands exchanged. Any
9 receipt shall be deposited into, and any payment shall be
10 made from, the permanent land fund. State lands may be
11 exchanged upon the board's finding the exchange is
12 necessary to:

13

14 (i) Make state lands more manageable where the
15 lands are not otherwise manageable, including the disposal
16 of any isolated parcel that is eighty (80) acres or less;

17

18 **36-9-101. Authority; restrictions.**

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20 (a) The board of land commissioners may at any time
21 direct the sale of state lands subject to any lease
22 thereof. Subject to criteria established by the board, any
23 person may request that a parcel of state land be

1 considered for sale by the board, but such lands shall only
2 be nominated for sale by a majority vote of the board. Such
3 lands which have been reserved in any way to the public
4 use, or for the use of public institutions, shall not be
5 sold to any member of the board. The board shall sell such
6 lands according to the subdivisions of sections as
7 established by the United States survey thereof, or by
8 metes and bounds, as may appear to be to the interest of
9 the state of Wyoming. The board shall sell such
10 subdivisions as it shall deem for the best interests of the
11 state land trust. The board shall not sell state land
12 unless the board finds that the proceeds from the sale are
13 protected from inflationary effects and the proceeds will
14 earn a significantly higher rate of return than can be
15 realized through retention of the surface estate and if the
16 board finds that the sale will:

17

18 (i) Make state lands more manageable where the
19 lands are not otherwise manageable, including the disposal
20 of any isolated parcel that is eighty (80) acres or less;

21

1 **Section 3.** This act is effective July 1, 2023.

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3

(END)