

HOUSE BILL NO. HB0219

County and municipal roads on state lands-easements granted.

Sponsored by: Representative(s) Locke, Banks, Brown, G, Brown, L, Campbell, K, Eklund, Johnson, Knapp, Lien, Riggins, Strock, Styvar and Wharff and Senator(s) Ide

A BILL

for

1 AN ACT relating to state lands; providing a perpetual
2 easement over state and school lands for county and
3 municipal roads; specifying requirements for easements;
4 specifying duties for the board of land commissioners and
5 the office of state lands and investments; making
6 conforming amendments; providing legislative findings;
7 requiring rulemaking; and providing for an effective date.

8

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

10

11 **Section 1.** W.S. 36-9-121 is created to read:

12

13 **36-9-121. County and municipal roads on state lands;**
14 **easements granted; duties.**

1

2 (a) As used in this section:

3

4 (i) "County road" means a road that is
5 established pursuant to W.S. 24-3-101 through 24-3-127,
6 identified pursuant to W.S. 24-3-201 through 24-3-206 or a
7 road for which the county is responsible for improvements
8 and maintenance as designated by resolution of a board of
9 county commissioners;

10

11 (ii) "Municipal road" means a road that is
12 established by a city or town and for which the city or
13 town is responsible for improvements and maintenance.

14

15 (b) Subject to subsection (h) of this section, a
16 perpetual easement for a right-of-way over and across any
17 state or school lands is hereby granted for county roads
18 and municipal roads that go over and across any state or
19 school lands and that were established before January 1,
20 2025.

21

22 (c) No fee, charge, assessment or other cost shall be
23 imposed on any county, city or user of a municipal road or

1 county road for the perpetual easement granted under
2 subsection (b) of this section.

3

4 (d) Not later than August 1, 2025, the director shall
5 provide to the board a listing of all county and municipal
6 roads that go on or across state lands or school lands and
7 all documents necessary for establishing or securing the
8 easements granted in subsection (b) of this section. The
9 director may request any documentation from counties,
10 cities and towns as necessary to secure the easements,
11 provided that the board shall be responsible for all costs
12 associated with the documentation required under this
13 subsection.

14

15 (e) Not later than October 31, 2025:

16

17 (i) The board shall promulgate or amend rules as
18 necessary to provide for the easements granted in
19 subsection (b) of this section;

20

21 (ii) The director, in consultation with the
22 board, shall provide a list of all county roads and
23 municipal roads for which the easements were granted under

1 subsection (b) of this section to all counties, cities and
2 towns.

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4 (f) Not later than April 1, 2030, each county, city
5 and town that has a county road or municipal road for which
6 an easement has been granted under subsection (b) of this
7 section shall provide complete and proper documentation to
8 the director and the board as necessary to secure the
9 easement for the county or municipal road.

10

11 (g) Not later than ninety (90) days after receiving
12 all necessary documentation to effectuate an easement under
13 subsection (f) of this section, the board shall provide
14 proper evidence of the easement granted under this section.
15 The board shall be responsible for recording or filing with
16 the county clerk all documents necessary to demonstrate the
17 granting of the easement under this section.

18

19 (h) All county roads and municipal roads constructed
20 or established on and after January 1, 2025 shall secure
21 easements or rights-of-way for roads going on and across
22 state or school lands in accordance with law and rules of
23 the board. Nothing in this section shall be construed to

1 grant an automatic easement for county roads and municipal
2 roads constructed or established on and after January 1,
3 2025.

4

5 **Section 2.** W.S. 36-1-101(a)(viii) is amended to read:

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7 **36-1-101. Definitions.**

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9 (a) Unless the context indicates otherwise, as used
10 in this act:

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12 (viii) "This act" means W.S. 36-1-101 through
13 36-3-111, 36-5-101 through 36-7-510 and 36-9-101 through
14 ~~36-9-120~~ 36-9-121.

15

16 **Section 3.** The board of land commissioners shall
17 promulgate all rules necessary to implement this act.

18

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

5

6

(END)