

HOUSE BILL NO. HB0041

Environmental quality-irrevocable letters of credit.

Sponsored by: Representative(s) Lawley, Heiner and Larson,
JT and Senator(s) Anderson and Jones

A BILL

for

1 AN ACT relating to environmental quality; clarifying the
2 financial institutions from which operators may obtain
3 irrevocable letters of credit to deposit with the
4 department of environmental quality in lieu of a bond;
5 specifying applicability; authorizing rulemaking; and
6 providing for effective dates.

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

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10 **Section 1.** W.S. 35-11-418 and 35-11-504(e) are
11 amended to read:

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13 **35-11-418. Cash or securities in lieu of bond.**

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1 (a) Subject to subsection (b) of this section, in
2 lieu of a bond, the operator or its principal may deposit
3 federally insured certificates of deposit payable to the
4 Wyoming department of environmental quality, or cash, or
5 government securities, or irrevocable letters of credit
6 issued by a bank organized to do business in the United
7 States, or all four (4).

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9 (b) For noncoal mining operations that take place on
10 land that is not owned or operated by the United States or
11 a federal agency, in lieu of a bond, the operator or the
12 operator's principal may deposit federally insured
13 certificates of deposit payable to the Wyoming department
14 of environmental quality, or cash, or government
15 securities, or irrevocable letters of credit issued by a
16 bank or credit union organized to do business in the United
17 States, or all four (4).

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19 (c) Irrevocable letters of credit deposited under
20 this section shall be issued by a bank that is insured by
21 the federal deposit insurance corporation or a credit union
22 that is insured by the national credit union
23 administration.

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2 **35-11-504. Bonding for solid waste management**
3 **facilities.**

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5 (e) In lieu of a bond, the operator may deposit
6 federally insured certificates of deposit payable to the
7 Wyoming department of environmental quality, cash,
8 government securities, or irrevocable letters of credit
9 issued by a bank or a credit union organized to do business
10 in the United States, or all four (4). Irrevocable letters
11 of credit deposited under this subsection shall be issued
12 by a bank that is insured by the federal deposit insurance
13 corporation or a credit union that is insured by the
14 national credit union administration.

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16 **Section 2.** This act shall apply to irrevocable
17 letters of credit deposited under W.S. 35-11-418 and
18 35-11-504(e) that are issued on and after the effective
19 date of this act.

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21 **Section 3.** The environmental quality council, upon
22 recommendation by the department of environmental quality,
23 shall promulgate all rules necessary to implement this act.

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Section 4.

(a) Except as provided in subsection (b) of this section, this act is effective July 1, 2025.

(b) Sections 3 and 4 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)