

HOUSE BILL NO. HB0119

Minimum easement standards.

Sponsored by: Representative(s) Banks and Allemand and
Senator(s) Laursen, D and Steinmetz

A BILL

for

1 AN ACT relating to eminent domain; requiring notice of
2 condemnation as specified; requiring clauses relating to
3 liability, abandonment and reclamation; providing
4 requirements for existing easements; providing compensation
5 standards; specifying applicability; and providing for an
6 effective date.

7

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

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10 **Section 1.** W.S. 1-26-517 is created to read:

11

12 **1-26-517. Minimum easement standards.**

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14 (a) Each person shall comply with the requirements of
15 this section before acquiring any property by condemnation.

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2 (b) Not less than thirty (30) days before a
3 condemnation action is commenced under this act, the
4 condemnor shall give notice to the board of county
5 commissioners of the county and any local governing body of
6 a city or town in which the condemnation is to take place.

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8 (c) Any easement established under this act shall
9 indicate that the original landowner is not responsible for
10 any liability, including vicarious liability, other than
11 intentional acts arising from use of the land under the
12 easement.

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14 (d) The condemnor shall be responsible for
15 reclamation of the property after the condemnor no longer
16 requires the easement, pursuant to W.S. 1-26-714.

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18 (e) An existing easement shall be used exclusively
19 for its stated purpose unless the existing easement:

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21 (i) Contemplates a method by which an easement
22 can be enlarged or amended; or

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1 (ii) Authorizes the parties to renegotiate the
2 easement.

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4 (f) For purposes of calculating compensation,
5 improvements to the property shall be included in its fair
6 market value.

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8 (g) If an easement is abandoned pursuant to W.S.
9 1-26-515, the land shall revert to the original landowner
10 and the land shall be reclaimed pursuant to W.S. 1-26-714
11 and at the expense of the condemnor.

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13 **Section 2.** This act applies to condemnation actions
14 initiated on or after July 1, 2025. Nothing in this act
15 shall be construed to impair any existing contracts.

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17 **Section 3.** 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.

21

22

(END)