

## HOUSE BILL NO. HB0055

Wyoming homestead opportunity program.

Sponsored by: Representative(s) Wasserburger

A BILL

for

1 AN ACT relating to state lands; establishing the Wyoming  
2 Homestead Opportunity Program; making legislative findings;  
3 providing for the establishment and disposal of lots to  
4 eligible purchasers as specified; prohibiting ownership of  
5 lots by business entities; requiring the use of lots for  
6 single-family residential purposes; providing for reversion  
7 of lots; requiring rulemaking; requiring reports; providing  
8 definitions; making conforming amendments; providing an  
9 appropriation; and providing for an effective date.

10

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

12

13 **Section 1.**

14

15 (a) The legislature finds that:

16

1 (i) Wyoming faces housing supply constraints  
2 that burden working families and impair economic growth;

3

4 (ii) The state holds nontrust, state-acquired  
5 real property that is not necessary to an essential  
6 governmental purpose;

7

14

15 (b) It is the purpose of this act to create  
16 owner-occupied homestead communities on eligible state  
17 lands and to ensure the land is used for single-family  
18 residential purposes. This act constitutes a valid public  
19 purpose, of primary benefit to all citizens of the state of  
20 Wyoming.

21

22           **Section 2.**   W.S. 36-9-201 through 36-9-213 are created  
23   to read:

1

## 2 ARTICLE 2

## 3 WYOMING HOMESTEAD OPPORTUNITY PROGRAM

4

5 **36-9-201. Short title.**

6

7 This article shall be known and may be cited as the  
8 "Wyoming Homestead Opportunity Program."

9

10 **36-9-202. Definitions.**

11

12 (a) As used in this article:

13

14 (i) "Eligible parcel" means state lands that are  
15 not excluded under this paragraph, that are determined by  
16 the board to be surplus lands that are unnecessary for  
17 state needs and that are suitable for single family  
18 residential use. "Eligible parcel" shall not include school  
19 lands, institutional lands, all lands that are subject to  
20 article 18, section 1 of the Wyoming constitution, lands  
21 which have been reserved in any way to the public use, any  
22 lands designated as a state park, campground, recreational  
23 ground, historic landmark, historical site, state

1 archaeological site, wildlife refuge, wilderness area and  
2 any other lands that the state is required to hold by law;

3

4 (ii) "Eligible purchaser" means a natural person  
5 who is a citizen of the United States and who is domiciled  
6 in Wyoming for not less than twelve (12) consecutive months  
7 immediately prior to application under this article;

8

9 (iii) "Homestead cluster" or "cluster" means a  
10 contiguous, planned offering of lots created under this  
11 article with internal access and services planned at a  
12 community scale;

13

14 (vi) "Lot" means a tract of ten (10) acres of an  
15 eligible parcel that is designated by the office of state  
16 lands and investments as available for disposal under this  
17 article. "Lot" shall include only the surface estate and  
18 shall not include any mineral rights.

19

20 **36-9-203. Program administration.**

21

22 (a) The office of state lands and investments shall  
23 identify possible eligible parcels to the board. The board

1 shall review possible eligible parcels and may designate  
2 parcels as eligible parcels under this article. The office  
3 shall use parcels that are designated as eligible parcels  
4 by the board to develop offerings of homestead clusters as  
5 provided in this section.

6

7 (b) The office of state lands and investments shall  
8 endeavor to establish a total of not less than ten (10) and  
9 not more than twenty (20) homestead clusters in the state  
10 from eligible parcels identified by the board. Each cluster  
11 shall contain not less than three hundred (300) and not  
12 more than one thousand (1,000) lots, as site conditions  
13 allow and subject to local compliance under W.S. 36-9-210.

14

15 (c) Within each cluster, lots shall be platted and  
16 offered as ten (10) acre tracts.

17

18 (d) The office of state lands and investments shall  
19 conduct surveys, conduct environmental and cultural  
20 resource reviews, develop access easements and create  
21 internal roads and minor improvements as necessary to  
22 create lots and clusters under this section.

23

1                   (e) The office of state lands and investments shall  
2 seek local land use approvals and comply with local zoning  
3 requirements as necessary to provide offerings of homestead  
4 clusters under this section. The office shall coordinate  
5 with counties and municipalities as necessary to  
6 accommodate ingress, egress and emergency services.

7

8                   (f) Lots and clusters shall be platted by the office  
9 to preserve legal access and to avoid flood hazard areas  
10 where practicable.

11

12                 **36-9-204. Disposition of lots; applications.**

13

14                   (a) Notwithstanding W.S. 36-9-101 through 36-9-120,  
15 the board shall dispose of lots offered for disposal under  
16 this article by warranty deed at a price of one dollar  
17 (\$1.00) per acre. No disposal of lots under this article  
18 shall include any mineral rights. The buyer shall also be  
19 responsible for all actual recording and closing costs.

20

21                   (b) The board shall establish a procedure that is  
22 random and without favor to determine how lots are  
23 allocated and disposed under this article. The procedure

1 under this subsection shall be adopted by rule and may be  
2 by public drawing or lottery. The procedure for allocation  
3 of lots shall not involve discretionary selection among  
4 eligible applicants.

5

6 (c) Applications shall be accepted from eligible  
7 purchasers meeting the criteria of this article. The  
8 department shall verify eligibility only for compliance  
9 with the requirements of this article and shall not include  
10 any additional requirements for eligibility.

11

12 **36-9-205. Eligibility; acreage cap; business entities**  
13 **prohibited.**

14

15 (a) Only eligible purchasers shall acquire lots under  
16 this article.

17

18 (b) An eligible purchaser shall not acquire, directly  
19 or indirectly, more than twenty-five (25) acres under this  
20 article statewide, including all acquisitions over time.

21

22 (c) No business entity shall be an eligible purchaser  
23 or take title to any lot under this article and no lot

1       acquired under this article shall be conveyed at any time  
2       to any business entity. Any transfer to a business entity  
3       in violation of this subsection is voidable at the option  
4       of the state and subject to reversion under W.S. 36-9-209.

5

6               (d)    No eligible purchaser shall assign the lot or any  
7       right to purchase the lot prior to the initial purchase of  
8       the lot.

9

10               **36-9-206. Covenants required.**

11

12               (a)    Each deed for a lot under this article shall  
13       include covenants running with the land in perpetuity  
14       providing the following:

15

16               (i)    The lot shall be used exclusively for  
17       single-family detached residential purposes, which may  
18       include customary accessory structures and agricultural and  
19       recreational uses incidental to residential use;

20

21               (ii)   The following uses shall be prohibited:

22

23               (A)    Commercial or industrial use;

1

2 (B) Multi-family residential use, including  
3 use as a duplex, triplex, apartment, condominium or  
4 townhouse;

5

6 (C) Any planned unit developments or  
7 similar arrangements that would allow more than one (1)  
8 single-family dwelling unit on a lot;

9

10 (D) Any accessory dwelling unit intended  
11 for separate residential occupancy;

12

13 (E) Additional short-term or long-term  
14 rental units, provided that this subparagraph shall not  
15 prohibit rental of the single-family dwelling; and

16

17 (F) Any use that would increase residential  
18 density above one (1) single-family dwelling unit per lot.

19

20 (iii) The lot shall never be subdivided or  
21 replatted, and no boundary line adjustment shall be  
22 permitted except to correct a documented survey error that  
23 does not reduce any lot below its original acreage and does

1 not increase any owner's cumulative acreage above  
2 twenty-five (25) acres;

3

4 (iv) The eligible purchaser shall maintain or  
5 obtain a zoning classification, where applicable, that  
6 permits single-family detached residential use and shall  
7 not seek or consent to rezoning or other entitlements that  
8 would permit multi-family, townhouse, condominium or any  
9 higher-density residential or nonresidential zoning  
10 classification;

11

12 (v) That any private covenants, homeowners'  
13 association documents or similar instruments recorded by  
14 the state or the eligible purchaser shall be consistent  
15 with and shall not diminish the restrictions of this  
16 section.

17

18 **36-9-207. Construction and owner occupancy**  
19 **requirements.**

20

21 (a) The eligible purchaser shall obtain a certificate  
22 of occupancy or equivalent local approval for a  
23 single-family dwelling on the lot and shall begin occupancy

1 of the dwelling as the purchaser's primary residence not  
2 later than twenty (20) years after closing on the lot.

3

4 (b) The purchaser shall occupy the dwelling as the  
5 purchaser's primary residence for not less than five (5)  
6 consecutive years after initial occupancy under subsection  
7 (a) of this section.

8

9 **36-9-208. Transfers of lots.**

10

11 (a) For five (5) years after issuance of a  
12 certificate of occupancy under W.S. 36-9-207(a), the lot  
13 shall only be conveyed to another eligible purchaser, and  
14 the conveyance shall include all covenants required by this  
15 article.

16

17 (b) Prior to the recording of any conveyance under  
18 subsection (a) of this section, the eligible purchaser  
19 shall execute an affidavit attesting that the conveyance  
20 will not cause the purchaser's cumulative acreage under  
21 this article to exceed twenty-five (25) acres and that  
22 title will not be held by or conveyed to a business entity.

23

1 (c) The office of state lands and investments or the  
2 board shall not exercise discretionary approval or denial  
3 of proposed transfers under this section where all  
4 conditions for the transfer established under this article  
5 are met.

6

7 (d) Recording a transfer that does not conform with  
8 the requirements of this section constitutes a violation  
9 enforceable under W.S. 36-9-209.

10

11 36-9-209. Reversion of lots; remedies.

12

19

20 (b) If an owner of a lot violates W.S. 36-9-205(b) or  
21 (c), 36-9-207(b) or 36-9-208, title to the lot is voidable  
22 at the option of the board and the title shall revert upon  
23 the board recording a notice of reversion following notice

1 and opportunity to cure as provided in subsection (a) of  
2 this section.

3

4 (c) If title to a lot is reverted to the state under  
5 subsection (a) or (b) of this section, the office of state  
6 lands and investments shall refund to the eligible  
7 purchaser an amount equal to the original purchase price  
8 paid for the lot plus any recording or closing costs paid  
9 by the purchaser. No compensation shall be due under this  
10 subsection for any improvements to the lot or for  
11 consequential damages.

12

13 (d) The attorney general may bring an action for  
14 injunctive relief, specific performance, quiet title or  
15 damages, and may record notices of violations of this  
16 article to preserve the state's interests. Adjoining owners  
17 of lots in a homestead cluster created under this article  
18 shall have standing to seek injunctive relief to enforce  
19 this article.

20

21 **36-9-210. Local compliance; exclusion of state  
22 obligation.**

23

1                   (a) Eligible purchasers of lots shall comply with all  
2 applicable county and municipal building, sanitation,  
3 water, wastewater, road and fire codes.

4

5                   (b) Nothing in this article shall obligate the state  
6 to provide or extend utilities to lots. The board may, by  
7 rule, establish minimum access and sanitation standards for  
8 any lots or clusters offered under this article.

9

10                 **36-9-211. Rulemaking.**

11

12                 (a) The board shall promulgate rules necessary to  
13 implement this article, including cluster designation,  
14 planning and siting, allocation procedures, eligibility  
15 verification and standard forms of deed covenants and  
16 reversion notices.

17

18                 (b) To the extent necessary to carry out the purposes  
19 of this act, the board may, by rule, modify operational  
20 terms of the program under this article, including but not  
21 limited to:

22

1 (i) The number, size and phasing of homestead  
2 clusters;

3

4 (ii) Application windows, impartial allocation  
5 procedures and administrative procedures;

6

7 (iii) Construction milestone timelines, cure  
8 periods and documentation standards;

9

10 (iv) Survey, access, sanitation and platting  
11 standards and requirements necessary for orderly  
12 development of clusters.

13

14 (c) Rules adopted under subsection (b) of this  
15 section shall not:

16

17 (i) Permit ownership of lots or clusters by  
18 business entities;

19

20 (ii) Authorize any subdivision, replatting or  
21 boundary adjustment that violates W.S. 36-9-206(a)(ii);

22

3

4 (iv) Waive or increase the acreage cap provided  
5 in W.S. 36-9-205(b);

6

7 (v) Eliminate the allocation procedure  
8 requirements of W.S. 36-9-204(b);

9

10 (vi) Eliminate the reversion remedies specified  
11 in W.S. 36-9-209.

12

13 (d) Any rules adopted under subsection (b) of this  
14 section that modify any operational terms of this article  
15 shall state the specific factual conditions necessitating  
16 the modification and shall explain how the modification  
17 advances the purposes of this act.

18

19 36-9-212. No impairment of trust obligations.

20

21 No lands held in trust for any beneficiary shall be  
22 conveyed under this article unless separately authorized by

1 law and shall only be conveyed consistent with  
2 constitutional, statutory and fiduciary obligations.

3

4 **36-9-213. Reporting.**

5

6 The department shall report not later than October 1 of  
7 each year to the joint agriculture, state and public lands  
8 and water resources interim committee on all activities  
9 under this article, including any clusters established,  
10 lots offered, applications received, sales completed,  
11 reversions recorded and any enforcement actions.

12

13 **Section 3.** W.S. 36-1-101(a)(viii) and 36-9-102 are  
14 amended to read:

15

16 **36-1-101. Definitions.**

17

18 (a) Unless the context indicates otherwise, as used  
19 in this act:

20

21 (viii) "This act" means W.S. 36-1-101 through  
22 36-3-111, 36-5-101 through 36-7-510 and 36-9-101 through

23 36-9-121 36-9-213.

1

2       **36-9-102. Manner of sale; minimum price.**

3

4       (a) Except as otherwise provided in subsection (b) of  
5       this section, all state lands shall be disposed of only at  
6       public auction to the highest responsible bidder after  
7       having been duly appraised by the board, and shall be sold  
8       at not less than the appraised value thereof, and for not  
9       less than ten dollars (\$10.00) per acre.

10

11       (b) The provisions of W.S. 36-9-101 through 36-9-120  
12       shall not apply to the disposal of lands under the Wyoming  
13       Homestead Opportunity Program.

14

15       **Section 4.** There is appropriated two hundred fifty  
16       thousand dollars (\$250,000.00) from the general fund to the  
17       office of state lands and investments for purposes of a  
18       study on the administration and enforcement of the Wyoming  
19       Homestead Opportunity Program as created by section 1 of  
20       this act. The study may include activities necessary to  
21       begin administering the program including surveying and  
22       conducting other activities for determining lots and  
23       homestead clusters. This appropriation shall be for the

1 period beginning with the effective date of this act and  
2 ending June 30, 2028. This appropriation shall not be  
3 transferred or expended for any other purpose and any  
4 unexpended, unobligated funds remaining from this  
5 appropriation shall revert as provided by law on June 30,  
6 2028.

7

8 **Section 5.** This act is effective July 1, 2026.

9

10 (END)