

HOUSE BILL NO. HB0066

Judicial deference-agencies.

Sponsored by: Representative(s) Singh, Andrew and Banks and
Senator(s) Laursen, D

A BILL

for

1 AN ACT relating to administrative procedure; amending the
2 judicial review process of agency actions; amending
3 standards of review of administrative actions; specifying
4 applicability; and providing for an effective date.

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

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8 **Section 1.** W.S. 16-3-114(b), (c)(intro) and by
9 creating new subsections (d) and (e) and 30-2-213(b) are
10 amended to read:

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12 **16-3-114. Judicial review of agency actions; district**
13 **courts.**

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1 (b) The supreme court's authority to adopt rules
2 governing review from agencies to the district courts shall
3 include authority to determine the content of the record
4 upon review, the pleadings to be filed, the time and manner
5 for filing the pleadings, records and other documents and
6 the extent to which supplemental testimony and evidence may
7 be taken or considered by the district court. ~~The rules~~
8 ~~adopted by the supreme court under this provision may~~
9 ~~supersede existing statutory provisions.~~

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11 (c) To the extent necessary to make a decision and
12 when presented, the reviewing court shall decide all
13 relevant questions of law, interpret constitutional and
14 statutory provisions, and determine the meaning or
15 applicability of the terms of an agency action. In making
16 the following determinations, the court shall review the
17 whole record or those parts of it cited by a party. ~~and due~~
18 ~~account shall be taken of the rule of prejudicial error.~~
19 The reviewing court shall:

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21 (d) In interpreting a state statute, rule, regulation
22 or other sub-regulatory document, the reviewing court shall
23 not defer to a state agency's interpretation of the

1 statute, rule, regulation or final decision and shall
2 instead interpret the meaning of the statute, rule,
3 regulation or final decision and effect de novo.

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5 (e) In actions brought under this section by or
6 against state agencies, after applying all customary tools
7 of interpretation, the reviewing court shall exercise any
8 remaining doubt in favor of a reasonable interpretation
9 that limits agency power and maximizes individual liberty.

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11 **30-2-213. Judicial review of decision of inspector;**
12 **procedure; payment of costs assessed against inspector;**
13 **appeal.**

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15 (b) Judicial review shall be in accordance with W.S.
16 16-3-114(c) through (e). An interested party may obtain
17 review of any final judgment of the district court under
18 this section by appeal to the supreme court. The appeal
19 shall be taken as in other civil cases.

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21 **Section 2.** This act shall apply to actions for
22 judicial review filed on and after the effective date of
23 this act.

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2 **Section 3.** This act is effective July 1, 2026.

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(END)