

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Challenge loan fueling infrastructure loans-amendments.

Sponsored by: Joint Minerals, Business & Economic
Development Interim Committee

A BILL

for

1 AN ACT relating to the Wyoming economic development act;
2 expanding the possible uses of the natural gas fueling
3 infrastructure loan program to include electric charging
4 stations and hydrogen fueling stations; making conforming
5 amendments; requiring rulemaking; and providing for
6 effective dates.

7

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

9

10 **Section 1.** W.S. 9-12-301(a)(x) and 9-12-304(b)(i) and
11 (h) are amended to read:

12

1 **9-12-301. Definitions.**

2

3 (a) As used in this article:

4

5 (x) "~~Natural gas~~ Charging and fueling
6 infrastructure loan" means a loan issued by the council for
7 the costs of the engineering, design, real property,
8 equipment and labor necessary to install a functioning:

9

10 (A) Natural gas filling station to fuel
11 motor vehicles which operate on natural gas as a
12 transportation fuel~~;~~

13

14 (B) Electric charging station to charge
15 motor vehicles that operate on electricity; or

16

17 (C) Hydrogen fuel filling station to fuel
18 motor vehicles that operate on hydrogen as a transportation
19 fuel.

20

21 **9-12-304. Criteria for loans.**

22

1 (b) Loans, loan commitments or loan guarantees or any
2 combination thereof shall be made under this article only:

3
4 (i) If the total amount to a single community
5 development organization, or to a business for an economic
6 disaster loan as provided under subsection (c) of this
7 section, does not exceed five hundred thousand dollars
8 (\$500,000.00), if the total amount to a business for bridge
9 financing as provided under subsection (d) of this section
10 does not exceed one million dollars (\$1,000,000.00), if the
11 total amount to state development organizations does not
12 exceed three million five hundred thousand dollars
13 (\$3,500,000.00), if the amount to a business for a
14 federally guaranteed loan as provided under subsection (e)
15 of this section does not exceed two million dollars
16 (\$2,000,000.00), if the amount to a business for a loan
17 guarantee does not exceed one hundred thousand dollars
18 (\$100,000.00) per loan guaranteed or eighty percent (80%)
19 of any net loan loss by the bank, whichever is less, if the
20 amount to a business for a Wyoming main street loan
21 participation as provided under subsection (g) of this
22 section does not exceed one hundred thousand dollars
23 (\$100,000.00) or if the amount to a business for a natural

1 ~~gas-charging and~~ fueling infrastructure loan as provided
2 under subsection (h) of this section does not exceed
3 seventy-five percent (75%) of the total project cost or one
4 million dollars (\$1,000,000.00), whichever is less;

5
6 (h) Any business may apply to the council for a
7 ~~natural-gas-charging and~~ fueling infrastructure loan as
8 defined in W.S. 9-12-301(a)(x). The council shall prescribe
9 the form and contents of the application. The council shall
10 review each application and make a determination as soon as
11 practicable. In the event of a default, the state shall
12 have priority over any claim of the business receiving the
13 ~~natural-gas-charging and~~ fueling infrastructure loan or
14 third party. Notwithstanding W.S. 9-12-303, no interest or
15 principal payments shall be due for the first two (2) years
16 of the loan term. All deferred interest during the first
17 two (2) years of the loan term shall accrue to the
18 principal balance. All loans issued under this subsection
19 shall not exceed five million dollars (\$5,000,000.00) and
20 after five million dollars (\$5,000,000.00) in loans have
21 been issued, no further loans shall be issued under this
22 subsection without further legislative approval. Subsection
23 (a) of this section does not apply to ~~natural-gas-charging~~

1 and fueling infrastructure loans under this subsection. In
2 evaluating applications for a ~~natural-gas~~ charging and
3 fueling infrastructure loan, the council shall consider
4 whether:

5
6 (i) The geographic area in which the proposed
7 ~~natural-gas~~ charging and fueling infrastructure will be
8 located is currently served by existing ~~natural-gas~~ fueling
9 infrastructure of the type for which the loan would be
10 issued; and

11
12 (ii) The location of the proposed ~~natural-gas~~
13 charging and fueling infrastructure has a significant
14 number of government or private fleet vehicles with the
15 potential to convert to ~~natural-gas~~ the use of the type of
16 charging or fueling infrastructure for which the loan would
17 be issued.

18
19 **Section 2.** The Wyoming business council shall
20 promulgate all rules necessary to implement the provisions
21 of this act.

22
23 **Section 3.**

1

2 (a) Except as provided in subsection (b) of this
3 section, this act is effective immediately upon completion
4 of all acts necessary for a bill to become law as provided
5 by Article 4, Section 8 of the Wyoming Constitution.

6

7 (b) Section 1 of this act is effective July 1, 2022.

8

9

(END)