

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Revisor's bill.

Sponsored by: Management Council

A BILL

for

1 AN ACT relating to the revision of statutes; correcting
2 statutory references and language resulting from
3 inadvertent errors and omissions in previously adopted
4 legislation; amending obsolete references; repealing
5 provisions; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 9-1-701(a)(xii), 9-2-3006(a)(intro),
10 9-23-107(b), 18-3-402(a)(xvi)(A) through (D), (F), (G) and
11 (J) through (W), 21-2-802(c), 23-2-101(j)(ii) through
12 (xxxv), (xxxvii) through (xlii), (xliii)(A), (B) and (xliv)
13 through (xlvi), 23-2-201(d)(i) through (iv) and (vi)

1 through (ix), 25-10-102, 25-10-114(a), 26-11-109(a),
2 29-7-101(b), 30-5-106, 31-18-401(a)(ii)(A) and (iii),
3 33-34-107(b), 33-40-111(b), 34-14-210(a)(intro) and (ii),
4 35-2-1203(a) and 37-18-102(e) are amended to read:

5

6 **9-1-701. Definitions.**

7

8 (a) As used in this act:

9

10 (xii) "This act" means W.S. 9-1-701 through
11 ~~9-1-709~~ 9-1-711;

12

13 **9-2-3006. Procurement for capital construction**
14 **projects.**

15

16 (a) Contracts for capital construction projects let
17 by an agency or the University of Wyoming, excluding
18 contracts for professional services under W.S. ~~9-2-1027~~
19 9-23-101 through ~~9-2-1033~~ 9-23-107 and for capital
20 construction projects delivered through alternate design
21 and construction delivery methods as defined in W.S.
22 16-6-701(a)(v), shall be let through the use of competitive

1 negotiation, noncompetitive negotiation or competitive
2 sealed bidding as follows:

3

4 **9-23-107. Prohibited acts; civil penalty; initiation**
5 **of action.**

6

7 (b) Any person violating subsection (a) of this
8 section or W.S. ~~9-2-1032(d)~~9-23-106 is liable for a
9 penalty not to exceed five thousand dollars (\$5,000.00).
10 The penalty may be recovered in a civil action and damages
11 shall be assessed by the court.

12

13 **18-3-402. Duties generally.**

14

15 (a) The county clerk shall:

16

17 (xvi) Collect and remit to the county treasurer
18 the following fees:

19

20 (A) Recording charges for any
21 instrument-first page\$12.00

22

1 Each additional page~~\$~~3.00

2

3 (B) Abstract of personal property (per
4 year)~~\$~~1.00

5

6 (C) Acknowledgments~~\$~~2.00

7

8 (D) Bond oath and notary public
9 commission-first page~~\$~~12.00

10

11 Each additional page~~\$~~3.00

12

13 (F) Marriage license~~\$~~30.00

14

15 (G) Marriage license certified copy ..~~\$~~5.00

16

17 (J) Certification~~\$~~5.00

18

19 (K) State tax liens~~\$~~20.00

20

21 (M) Additional recording charge for any
22 instrument with more than five (5) grantors or grantees of

1 a different surname or more than five (5) claim names-each
2 additional name\$1.00

3

4 (N) Additional recording charge for each
5 section (including quarter and quarter-quarter, if
6 applicable), block, lot or tract-description in excess of
7 ten (10)\$1.00

8

9 (O) Plats filed (including cemeteries and
10 amended plats)\$75.00

11

12 (P) Liens filed pursuant to Title 29-first
13 page\$12.00

14

15 Each additional page\$3.00

16

17 (Q) Filing charge for each corner record or
18 certificate\$5.00

19

20 (R) Recording charge for any instrument
21 containing more than two (2) real estate descriptions by
22 book and page only-each additional description\$2.00

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(S) Liens filed upon real property pursuant
to W.S. 20-6-106(y)\$12.00

Each additional page\$3.00

Additional recording charge for each
additional collateral description\$1.00

(T) For filing and indexing an original
financing and termination statement\$20.00

For each additional certificate of title
upon which the lien is note for perfection\$1.00

(U) For statements of amendment,
continuation or assignment.....\$5.00

(W) For lien search and certification of
filings of record and affixing the seal\$20.00

1 **21-2-802. Powers and duties; teacher certification;**
2 **suspension and revocation; certification fees; disposition**
3 **of collected fees; required data submissions to department**
4 **of education.**

5
6 (c) The board may revoke, suspend, deny or refuse to
7 renew certification for incompetency, conviction of a
8 felony committed after July 1, 1996, immorality and other
9 reprehensible conduct or gross neglect of duty or knowing
10 misrepresentation of information on an application or
11 resume, upon its own motion or upon the petition of any
12 local board of trustees. Except as provided in subsection
13 ~~(h)~~-(k) of this section, no certificate shall be revoked or
14 suspended without a hearing conducted in accordance with
15 the Wyoming Administrative Procedure Act, unless the person
16 holding the certification waives the right to a hearing.

17

18 **23-2-101. Fees; restrictions; nonresident application**
19 **fee; nonresident licenses; verification of residency**
20 **required.**

21

1 (j) Subject to W.S. 23-2-101(f), 23-1-705(e) and the
2 applicable fee under W.S. 23-1-701, the following hunting
3 licenses and tags may be purchased for the fee indicated
4 and subject to the limitations provided:

5

6 (ii) Nonresident black bear license; one (1)
7 black bear.....\$371.00

8

9 (iii) Resident mountain lion license; one (1)
10 mountain lion.....\$30.00

11

12 (iv) Nonresident mountain lion license; one (1)
13 mountain lion.....\$371.00

14

15 (v) Resident daily game bird/small game license;
16 all game birds except wild turkey.....\$7.00

17

18 (vi) Nonresident daily game bird/small game
19 license; all game birds except wild turkey.....\$20.00

20

21 (vii) Resident lifetime game bird and small game
22 license; all game birds except wild turkey.....\$309.00

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2 (viii) Resident lifetime game bird/small game
3 and fishing license; all game birds except wild turkey.
4\$494.00

5

6 (ix) Resident game bird/small game license; all
7 game birds except wild turkey.....\$25.00

8

9 (x) Nonresident game bird/small game license;
10 all game birds except wild turkey.....\$72.00

11

12 (xi) Nonresident youth game bird/small game
13 license; all game birds except wild turkey.....\$40.00

14

15 (xii) Resident archery license.....\$14.00

16

17 (xiii) Nonresident archery license.....\$70.00

18

19 (xiv) Resident deer license; one (1) deer.\$40.00

20

21 (xv) Nonresident deer license; one (1)
22 deer.....\$372.00

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(xvi) Resident youth deer license; one (1)
deer.....\$15.00

(xvii) Nonresident youth deer license; one (1)
deer.....\$110.00

(xviii) Resident elk license; one (1) elk.\$55.00

(xix) Nonresident elk license; one (1) elk,
fishing privileges.....\$690.00

(xx) Resident youth elk license; one (1)
elk.....\$25.00

(xxi) Nonresident youth elk license; one (1)
elk, fishing privileges.....\$275.00

(xxii) Resident bighorn sheep license; one (1)
bighorn sheep.....\$150.00

1 (xxiii) Nonresident bighorn sheep license; one
2 (1) bighorn sheep.....\$2,318.00
3
4 (xxiv) Resident mountain goat license; one (1)
5 mountain goat.....\$150.00
6
7 (xxv) Nonresident mountain goat license; one (1)
8 mountain goat.....\$2,160.00
9
10 (xxvi) Resident moose license; one (1)
11 moose.....\$150.00
12
13 (xxvii) Nonresident moose license; one (1)
14 moose.....\$1,980.00
15
16 (xxviii) Resident grizzly bear license; one (1)
17 grizzly bear.....\$600.00
18
19 (xxix) Nonresident grizzly bear license; one (1)
20 grizzly bear.....\$6,000.00
21

1 (xxx) Resident antelope license; one (1)

2 antelope.....\$35.00

3

4 (xxxi) Nonresident antelope license; one (1)

5 antelope.....\$324.00

6

7 (xxxii) Resident youth antelope license; one (1)

8 antelope.....\$15.00

9

10 (xxxiii) Nonresident youth antelope license; one

11 (1) antelope.....\$110.00

12

13 (xxxiv) Resident license to capture falcons for

14 falconry purposes.....\$37.00

15

16 (xxxv) Nonresident license to capture falcons

17 for falconry purposes.....\$247.00

18

19 (xxxvii) License to hunt with falcon; game

20 birds, small game animals.....\$14.00

21

22 (xxxviii) Resident turkey license.....\$14.00

1

2 (xxxix) Nonresident turkey license.....\$72.00

3

4 (xl) Wyoming interstate game tag.....\$6.00

5

6 (xli) Resident game bird license; all game birds
7 except turkey.....\$14.00

8

9 (xlii) Resident small game license.....\$14.00

10

11 (xliii) From and after the date gray wolves are
12 removed from the list of experimental nonessential
13 population, endangered species or threatened species in
14 Wyoming as provided by W.S. 23-1-108:

15

16 (A) Resident gray wolf license.....\$19.00

17

18 (B) Nonresident gray wolf license...\$185.00

19

20 (xliv) Resident youth archery license.....\$6.00

21

22 (xlv) Nonresident youth archery license...\$12.00

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(xlvi) Resident lifetime archery license. ~~\$~~206.00

**23-2-201. Fees; restrictions; verification of
residency required.**

(d) The following fishing licenses may be purchased for the fee indicated in addition to the applicable fee under W.S. 23-1-701 and subject to the limitations provided:

(i) Resident fishing license.....~~\$~~25.00

(ii) Nonresident fishing license.....~~\$~~100.00

(iii) Nonresident youth fishing license...~~\$~~15.00

(iv) Resident youth fishing license (between their 14th and 18th birthdays).....~~\$~~3.00

(vi) Nonresident daily fishing license....~~\$~~12.00

1 (vii) Resident daily fishing license.....\$4.00

2

3 (viii) Resident lifetime fishing license.\$309.00

4

5 (ix) Nonresident five (5) consecutive day
6 fishing license.....\$54.00

7

8 **25-10-102. Admittees subject to rules and regulations**
9 **of state hospital.**

10

11 All persons admitted to the state hospital shall be subject
12 to the rules and regulations of the ~~state hospital~~
13 department.

14

15 **25-10-114. Transfer of inmates of penal institutions**
16 **to state hospital; notice.**

17

18 (a) The department of corrections may transfer an
19 inmate of a state penal institution who is mentally ill to
20 the state hospital, subject to the rules of admission of
21 the ~~state hospital~~ department, if adequate treatment cannot
22 be provided at a state penal institution.

1

2 **26-11-109. Required information on surplus lines**
3 **contracts; duty to notify insured.**

4

5 (a) Every new or renewed insurance contract,
6 certificate, cover note or other confirmation of insurance
7 that is procured and delivered as a surplus lines coverage
8 pursuant to this chapter shall have stamped or printed upon
9 it, in at least ten (10) point bold type font, the name and
10 address of the surplus lines broker who procured the
11 coverage, and the following disclosure: "This insurance
12 contract is issued pursuant to the Wyoming Nonadmitted
13 Insurance Laws by an insurer neither licensed by nor under
14 the jurisdiction of the Wyoming Insurance Department. In
15 the event of insolvency of the surplus lines insurer,
16 losses will not be paid by the Wyoming Insurance Guaranty
17 Association or the Wyoming Life and Health [Guarantee](#)
18 [Guaranty](#) Association."

19

20 **29-7-101. Persons entitled to lien; exception.**

21

1 (b) W.S. 29-7-101 through 29-7-106 shall not apply
2 where a lien is provided by W.S. ~~34.1-7-209 and~~ 29-7-301
3 and 34.1-7-209. A person engaging in self-storage
4 operations whereby members of the public rent space from
5 the person to store goods and chattels and retain control
6 over access to the goods and chattels is not a warehouseman
7 under W.S. ~~34.1-7-102(a)(viii)~~ 34.1-7-102(a)(xiii) and is
8 entitled to a lien under this section.

9

10 **30-5-106. When hearings held before commission.**

11

12 (a) Notwithstanding any provision of this act, or any
13 rule of the commission adopted pursuant to the powers
14 granted to it by this act, the hearing on any matter or
15 proceeding shall be held before the commission if:

16

17 (i) ~~(a) if~~ The commission in its discretion
18 desires to hear the matter i, ~~or~~

19

20 (ii) ~~(b) if~~ The application or motion so
21 requests i, ~~or~~

22

1 (iii) ~~(e) if~~ The matter is initiated on the
2 motion of the commission for enforcement of any rule,
3 regulation, order, or statutory provision~~i, or~~

4

5 (iv) ~~(d) if~~ Any party who may be affected by the
6 matter or proceeding files with the commission more than
7 three (3) days prior to the date set for the hearing on the
8 matter or proceeding a written objection to such matter or
9 proceeding being heard before an examiner~~i, or~~

10

11 (v) ~~(e) if~~ The matter or proceeding is for the
12 purpose of amending, removing or adding a statewide rule or
13 administrative fee.

14

15 **31-18-401. Registration fees.**

16

17 (a) Except as otherwise provided, the following fees
18 shall accompany each application for the registration of a
19 commercial vehicle:

20

21 (ii) A state registration fee computed as
22 follows:

1

2 (A) Commercial vehicles except passenger
3 cars, school buses, house trailers and motorcycles for
4 which the fees shall be computed as provided by W.S.
5 31-3-101(a)(ii) based on gross vehicle weight pursuant to
6 the following table:

7

8	GROSS VEHICLE OR GROSS	
9	COMBINATION VEHICLE WEIGHT IN POUNDS	FEE
12	26,000-or less	\$198.00
13		
14	26,001-28,000	\$ 214.50
15		
16	28,001-30,000	\$ 231.00
17		
18	30,001-32,000	\$ 247.50
19		
20	32,001-34,000	\$ 275.00
21		
22	34,001-36,000	\$ 302.50

1		
2	36,001-38,000	\$330.00
3		
4	38,001-40,000	\$357.50
5		
6	40,001-42,000	\$385.00
7		
8	42,001-44,000	\$412.50
9		
10	44,001-46,000	\$440.00
11		
12	46,001-48,000	\$467.50
13		
14	48,001-50,000	\$495.00
15		
16	50,001-52,000	\$522.50
17		
18	52,001-54,000	\$550.00
19		
20	54,001-55,000	\$563.75
21		
22	55,001-56,000	\$577.50

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2	56,001-58,000	\$605.00
3		
4	58,001-60,000	\$632.50
5		
6	60,001-62,000	\$660.00
7		
8	62,001-64,000	\$687.50
9		
10	64,001-66,000	\$715.00
11		
12	66,001-68,000	\$742.50
13		
14	68,001-70,000	\$770.00
15		
16	70,001-72,000	\$797.50
17		
18	72,001-74,000	\$825.00
19		
20	74,001-76,000	\$852.50
21		
22	76,001-78,000	\$880.00

1

2

78,001-80,000

~~\$~~907.50

3

4

For weights over eighty thousand (80,000) pounds, the fee shall be nine hundred forty-eight dollars and seventy-five cents (\$948.75) plus twenty-five dollars (\$25.00) for each additional two thousand (2,000) pounds or fraction thereof.

8

9

10

(iii) Except as otherwise provided in W.S. 31-18-201(d)(iii), an equalized highway use tax collected by the department in lieu of the county registration fee imposed by paragraph (a)(i) of this section for commercial vehicles or fleets proportionally registered under W.S. 31-18-201(b)(i) and described in W.S. 31-18-201(d)(ii) pursuant to the following table:

16

17

VEHICLE OR COMBINATION

18

19

GROSS VEHICLE WEIGHT

EQUALIZED HIGHWAY

20

21

IN POUNDS

USE TAX

22

1	26,000-or less	\$88.00
2		
3	26,001-28,000	\$ 110.00
4		
5	28,001-30,000	\$ 165.00
6		
7	30,001-32,000	\$ 220.00
8		
9	32,001-34,000	\$ 275.00
10		
11	34,001-36,000	\$ 330.00
12		
13	36,001-38,000	\$ 385.00
14		
15	38,001-40,000	\$ 440.00
16		
17	40,001-42,000	\$ 495.00
18		
19	42,001-44,000	\$ 550.00
20		
21	44,001-46,000	\$ 605.00
22		

1	46,001-48,000	\$660.00
2		
3	48,001-50,000	\$715.00
4		
5	50,001-52,000	\$770.00
6		
7	52,001-54,000	\$825.00
8		
9	54,001-56,000	\$880.00
10		
11	56,001-58,000	\$935.00
12		
13	58,001-60,000	\$990.00
14		
15	60,001-62,000	\$1,045.00
16		
17	62,001-64,000	\$1,100.00
18		
19	64,001-66,000	\$1,155.00
20		
21	66,001-68,000	\$1,210.00
22		

1	68,001-70,000	\$1,265.00
2		
3	70,001-72,000	\$1,320.00
4		
5	72,001-74,000	\$1,375.00
6		
7	74,001-76,000	\$1,430.00
8		
9	76,001-78,000	\$1,485.00
10		
11	78,001-80,000	\$1,540.00
12		

13 For weights over eighty thousand (80,000) pounds, the tax
 14 under this paragraph shall be one thousand six hundred ten
 15 dollars (\$1,610.00) plus fifty dollars (\$50.00) for each
 16 additional two thousand (2,000) pounds or fraction thereof.

17
 18 **33-34-107. Acceptance, collection, identification and**
 19 **examination of specimens.**

20
 21 (b) The results of a test shall only be reported to
 22 or as directed by the person who requested it. The reports

1 shall include the name of the laboratory director and the
2 name and address of the clinical laboratory in which the
3 test was actually performed.

4

5 **33-40-111. Foreign trained applicants; applicants**
6 **from other states and territories.**

7

8 (b) The board shall, to the extent necessary, waive
9 examination, education, and continuing education
10 requirements and grant a license to any applicant who
11 presents proof of current licensure or regulation as an
12 occupational therapist or occupational therapy assistant in
13 another state, the District of Columbia, or territory of
14 the United States whose standards for licensure or
15 regulation include passage of the examination required for
16 licensure under this act and who ~~have~~has not been
17 disciplined in the other jurisdiction for unprofessional
18 conduct or a similar offense. The board may grant
19 licensure to an applicant who has been disciplined for
20 unprofessional conduct if in the board's judgment the
21 unprofessional conduct was sufficiently minor, has been
22 rectified or is sufficiently in the past so as not to

1 present a risk to the welfare or safety of Wyoming
2 patients.

3

4 **34-14-210. Extinguishment of claim for relief.**

5

6 (a) A claim for relief with respect to a fraudulent
7 transfer or obligation under this act is extinguished
8 unless an action is brought:

9

10 (ii) Under W.S. ~~31-14-205(a)(ii)~~
11 34-14-205(a)(ii) or 34-14-206(a), within four (4) years
12 after the transfer was made or the obligation was incurred;
13 or

14

15 **35-2-1203. Administration of finances; assessment and**
16 **levy of taxes.**

17

18 (a) The board of trustees of a senior health care
19 district shall administer the finances of the district
20 according to the provisions of the Uniform Municipal Fiscal
21 Procedures Act, except that an annual audit in accordance
22 with W.S. 16-4-121 is not required. Each senior health care

1 ~~special~~-district shall comply with the provisions of W.S.
2 9-1-507(a)(iii).

3

4 **37-18-102. Energy generation portfolio standards;**
5 **reporting requirements; rate recovery and limitations.**

6

7 (e) Beginning in 2023, and occurring every second
8 year thereafter, the commission shall report to the
9 legislature regarding ~~whether~~—implementation of the
10 electricity portfolio standards ~~is meeting the legislative~~
11 ~~declaration and findings~~—and recommend whether it should be
12 continued, modified or repealed. To the extent the
13 electricity portfolio standards is modified or
14 discontinued, nothing shall impair the ability of a public
15 utility that has incurred costs to comply with the
16 electricity portfolio standard to recover its prudently
17 incurred costs as authorized by the commission.

18

19 **Section 2.** W.S. 26-43-207, 35-1-901 and 35-1-903 are
20 repealed.

21

1 **Section 3.** This act is effective July 1, 2021.

2

3

(END)