

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Conveyances to United States-right of refusal by state.

Sponsored by: Select Federal Natural Resource Management
Committee

A BILL

for

1 AN ACT relating to property; granting the state of Wyoming
2 the right of first refusal for real property conveyances to
3 the United States and federal agencies; specifying
4 conditions for the purchase of property by exercising the
5 right of first refusal; specifying duties for property
6 owners and the board of land commissioners; providing a
7 continuing appropriation from the legislative stabilization
8 reserve account; providing definitions; making conforming
9 amendments; specifying applicability; and providing for an
10 effective date.

11

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

1

2 **Section 1.** W.S. 34-1-158 and 36-2-111 are created to
3 read:

4

5 **34-1-158. Conveyances to the United States; right of**
6 **first refusal to state; landowner notices; requirements.**

7

8 (a) As used in this section:

9

10 (i) "Board" means the board of land
11 commissioners;

12

13 (ii) "Director" means the director of the office
14 of state lands and investments;

15

16 (iii) "Property" means all interests in real
17 property and shall include land, mineral rights and water
18 rights;

19

20 (iv) "United States" means the United States,
21 the federal government and any agency or office of the
22 federal government.

23

1 (b) The state of Wyoming shall have the right of
2 first refusal for any sale, grant or award of property to
3 the United States.

4

5 (c) Before entering into an agreement or contract to
6 sell or otherwise grant property to the United States, the
7 owner of the property shall, not less than forty-five (45)
8 days before entering into the agreement or contract,
9 provide notice in writing to the director and the board
10 that includes notice of the purchase agreement or contract,
11 details of the property to be conveyed in the agreement or
12 contract, the appraised value of the property if known and
13 the agreed-upon purchase price for the property.

14

15 (d) Not later than thirty (30) days after receiving a
16 notice from a property owner under subsection (c) of this
17 section, the board shall, through the director, respond to
18 the notice by:

19

20 (i) Declining to exercise the right of first
21 refusal granted in subsection (b) of this section; or

22

1 (ii) Declaring that the board intends to
2 exercise the right of first refusal on the property and
3 purchase the property, subject to subsection (e) of this
4 section.

5

6 (e) A purchase of property upon exercising the right
7 of first refusal under this section shall comply with all
8 of the following:

9

10 (i) The purchase price to be paid for the
11 property shall not exceed the amount offered by the United
12 States for the property or, if the property is to be
13 granted or donated to the United States without
14 consideration or with non-monetary consideration, the fair
15 market value of the property. The board may negotiate with
16 the property owner to purchase the property at a lower
17 price than the maximum price specified in this paragraph;

18

19 (ii) The purchase shall be made from funds
20 appropriated in subsection (f) of this section or from
21 another legislative appropriation;

22

1 (iii) Not later than ten (10) days after
2 exercising the right of first refusal under this section,
3 the director shall report to the joint appropriations
4 committee on the property to be purchased and the known or
5 estimated purchase price;

6

7 (iv) Upon completing the purchase, the land
8 shall be managed by the board as state lands as defined by
9 W.S. 36-1-101(a)(iv). The board may take any action in
10 managing property purchased under this section as
11 authorized by statute, including selling, leasing or
12 exchanging the land in accordance with law.

13

14 (f) There is continuously appropriated to the board
15 from any unexpended, unobligated funds in the legislative
16 stabilization reserve account an amount not to exceed the
17 purchase price of property specified in paragraph (e)(i) of
18 this section. The board shall not expend funds from the
19 continuous appropriation if other appropriated funds are
20 available for the purchase of the property under this
21 section.

22

1 **36-2-111. Right of first refusal of conveyances to**
2 **the United States; duties of board.**

3

4 The board shall review all notices of property conveyances
5 to the United States that the board receives under W.S.
6 34-1-158 and shall respond to each notice in accordance
7 with W.S. 34-1-158.

8

9 **Section 2.** W.S. 36-3-102 by creating a new subsection
10 (e) is amended to read:

11

12 **36-3-102. Duties generally.**

13

14 (e) The director shall receive all notices of
15 property conveyances to the United States under W.S.
16 34-1-158 and immediately forward each notice to the board
17 for the board's consideration of exercising a right of
18 first refusal under W.S. 34-1-158. The director shall offer
19 any assistance to the board as necessary to help the board
20 make a determination on exercising the right of first
21 refusal in accordance with W.S. 34-1-158.

22

1 **Section 3.** This act shall apply to all contemplated
2 real property conveyances to the United States occurring on
3 or after July 1, 2024.

4

5 **Section 4.** This act is effective July 1, 2024.

6

7

(END)