

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

SENATE FILE NO.

Property conveyances near critical infrastructure.

Sponsored by: Senator(s) SDraft

A BILL

for

1 AN ACT relating to homeland security; amending duties of
2 county clerks, the division of criminal investigation and
3 the director of the office of homeland security for
4 identification of conveyances near critical infrastructure;
5 repealing requirements to provide a list of designated
6 critical infrastructure zones to the county clerks;
7 amending and creating definitions; and providing for an
8 effective date.

9

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

11

12 **Section 1.** W.S. 9-1-618(b)(vi), 18-3-402(a)(xxvi),
13 19-13-104(d)(vi), 19-13-501(a)(i), (iv)(A) and by creating

1 a new paragraph (vi) and 19-13-502(c) and (d) are amended
2 to read:

3

4 **9-1-618. Agents to be safeguarded as peace officers;**
5 **general assistance to state, county or local authorities;**
6 **investigative duties.**

7

8 (b) The division shall investigate:

9

10 (vi) Conveyances, ~~leases and leasehold interests~~
11 as defined by 19-13-501(a)(i), within or near designated
12 critical infrastructure zones. ~~as reported by county clerks~~
13 ~~in accordance with W.S. 19-13-501 and 19-13-502.~~ The
14 division may investigate whether ~~the any~~ conveyance, ~~lease~~
15 ~~and leasehold interest~~ reported by county clerks in
16 accordance with W.S. 19-13-501 and 19-13-502 may result in
17 a threat to national or state security or whether the
18 conveyance, ~~lease and leasehold interest~~ involves a
19 designated country or person as defined by W.S. 19-13-
20 501(a)(iv). The attorney general or, with the attorney
21 general's approval, the division may subpoena witnesses,
22 compel their attendance and require the production of
23 records and other evidence to determine:

1

2 (A) Whether a conveyance, ~~lease and~~
3 ~~leasehold interest~~ within five (5) miles of a designated
4 critical infrastructure zone threatens national or state
5 security;

6

7 (B) Whether a conveyance, ~~lease and~~
8 ~~leasehold interest~~ involves a designated country or person
9 as defined by W.S. 19-13-501(a)(iv);

10

11 (C) The actual identity of a party to a
12 conveyance, ~~lease and leasehold interest~~ within five (5)
13 miles of a designated critical infrastructure zone.

14

15 **18-3-402. Duties generally.**

16

17 (a) The county clerk shall:

18

19 (xxvi) Report all conveyances, ~~within five (5)~~
20 ~~miles of a designated critical infrastructure zone as~~
21 defined by 19-13-501(a)(i), to the director of the office
22 of homeland security and the division of criminal

1 investigation in accordance with W.S. 19-13-501 and 19-13-
2 502.

3

4 **19-13-104. Powers of governor generally; director,**
5 **office of homeland security.**

6

7 (d) The position of the director, office of homeland
8 security is created in the governor's office and shall be
9 appointed by the governor. He shall be responsible to the
10 governor and may be removed by the governor as provided in
11 W.S. 9-1-202. The director shall:

12

13 (vi) Consult the governor and assist the
14 attorney general and division of criminal investigation on
15 the designation of critical infrastructure zones and the
16 investigation and identification of conveyances, ~~leases and~~
17 ~~leasehold interests as defined by 19-13-501(a)(i)~~, within
18 five (5) miles of critical infrastructure zones as
19 disclosed by the recordings reported by county clerks in
20 accordance with W.S. 19-13-501 and 19-13-502.

21

22 **19-13-501. Definitions.**

23

1 (a) As used in this article:

2

3 (i) "Conveyance" means ~~as defined by W.S. 34-1-~~
4 ~~102 and includes conveyances of real property, surface~~
5 ~~interests, mineral interests and pore space interests~~ every
6 instrument in writing by which any interest in real
7 property is created, alienated, mortgaged, leased or
8 assigned, or by which the title to any real property may be
9 affected in law or in equity. "Conveyance" shall not
10 include wills;

11

12 *****
13 *****

14 STAFF COMMENT

15 The definition of "conveyance" found in W.S. 34-1-102 is
16 copied below:

17

18 The term "conveyance", as used in this act, shall be
19 construed to embrace every instrument in writing by which
20 any estate or interest in real estate is created,
21 alienated, mortgaged or assigned, or by which the title to
22 any real estate may be affected in law or in equity, except
23 wills, leases for a term not exceeding three (3) years,
24 executory contracts for the sale or purchase of lands, and
25 certificates which show that the purchaser has paid the
26 consideration and is entitled to a deed for the lands, and
27 contain a promise or agreement to furnish said deed at some
28 future time.

29 *****
30 *****

31

32 (iv) "Designated country or person" means:

1

2

3

4

5

(A) A foreign government or foreign nongovernment person determined to be a foreign adversary by the United States secretary of commerce and specified in ~~15 C.F.R. 7.4(a)~~ 15 C.F.R. 791.4(a); or

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

STAFF COMMENT
15 C.F.R. Part 7.4(a) was redesignated, without change, as Part 791.4(a). See 89 FR 58263, 58265, July 18, 2024. It reads:

791.4 Determination of foreign adversaries.

(a) The Secretary has determined that the following foreign governments or foreign non-government persons have engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or security and safety of United States persons and, therefore, constitute foreign adversaries solely for the purposes of the Executive Order, this rule, and any subsequent rule:

- (1) The People’s Republic of China, including the Hong Kong Special Administrative Region (China);
- (2) Republic of Cuba (Cuba);
- (3) Islamic Republic of Iran (Iran);
- (4) Democratic People’s Republic of Korea (North Korea);
- (5) Russian Federation (Russia); and
- (6) Venezuelan politician Nicola’s Maduro (Maduro Regime).

31

32

33

34

35

36

(vi) "Real property" means all interests in land and appurtenances, including structures, affixed thereto, and any intangible characteristic that contributes to the

1 fair market value thereof. "Real property" includes surface
2 interests, mineral interests and pore space interests.

3
4 *****
5 *****

6 STAFF COMMENT

7 The proposed definition is based on "real property" as
8 defined in the taxation statutes, W.S. 39-11-101(a)(xv)
9 with the addition of surface interests, mineral interests
10 and pore space interests, which are moved from the
11 definition of "conveyance".

12 *****
13 *****
14

15 19-13-502. Critical infrastructure zones; reporting
16 of conveyances; investigations; notification; rulemaking.

17
18 (c) Within fifteen (15) days after ~~the~~a conveyance
19 is ~~executed and completed~~recorded, the county clerk shall
20 report ~~each~~the conveyance ~~that involves any property~~
21 ~~located within a critical infrastructure zone or that is~~
22 ~~located not more than five (5) miles from a critical~~
23 ~~infrastructure zone~~ to the director and to the division of
24 criminal investigation.

25
26 (d) Upon receiving a report from a county clerk under
27 subsection (c) of this section, the director and the
28 division of criminal investigation shall determine whether

1 a conveyance is within a critical infrastructure zone or
2 located not more than five (5) miles from a critical
3 infrastructure zone and, upon reasonable suspicion,
4 investigate the conveyance to determine if the conveyance
5 involves a designated country or person or if the
6 conveyance poses a threat to national or state security or
7 to critical infrastructure.

8

9 Section 2. W.S. 19-13-502(b) is repealed.

10 *****
11 *****

12 STAFF COMMENT
13 The repealed provision is copied below:

14
15 19-13-502. Critical infrastructure zones; reporting
16 of conveyances; investigations; rulemaking.

17
18 (b) Not later than July 1 of each year, the director
19 shall provide a list of all currently designated critical
20 infrastructure zones to each county clerk.

21 *****
22 *****

23
24
25 Section 3. This act is effective July 1, 2025.

26

27 (END)