

**DRAFT ONLY  
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INTRODUCTION**

HOUSE BILL NO. [BILL NUMBER]

Foreign property ownership-critical infrastructure.

Sponsored by: HDraft Committee

A BILL

for

1 AN ACT relating to property, conveyances and security  
2 transactions; prohibiting foreign ownership of real  
3 property near critical infrastructure and military  
4 installations as specified; authorizing actions for  
5 divestiture; requiring specified parties to register  
6 property ownership with the secretary of state; specifying  
7 penalties; amending the duties of the Wyoming office of  
8 homeland security; amending the duties of county clerks;  
9 requiring the inclusion of notices of foreign ownership  
10 prohibitions and reporting requirements in assessment  
11 schedules and tax statements; providing definitions;  
12 requiring rulemaking; authorizing positions; providing an  
13 appropriation; and providing for effective dates.

1

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

3

4       **Section 1.** W.S. 34-15-201 through 34-15-206 are  
5 created to read:

6

7

ARTICLE 2

8

CRITICAL INFRASTRUCTURE AND MILITARY INSTALLATIONS

9

10       **34-15-201. Definitions.**

11

12       (a) As used in this article:

13

14               (i) "Critical infrastructure" means as defined  
15 by W.S. 19-13-501(a)(ii) but shall not include cyber-based  
16 properties, systems or assets;

17

18               (ii) "Critical infrastructure/military  
19 installation zone" means the entire area of real property  
20 that is located on, within or partially within ten (10)  
21 miles of any critical infrastructure or military  
22 installation in the state of Wyoming;

23

1 \*\*\*\*\*

2 \*\*\*\*\*

3 STAFF COMMENT

4

5 The Committee may wish to lessen the ten mile radius above.  
6 For instance, a ten mile radius around F.E. Warren Air  
7 Force Base is the entire city of Cheyenne. The Committee  
8 may wish to consider a one or two mile radius instead.

9

10 \*\*\*\*\*

11 \*\*\*\*\*

12

13 (iii) "Foreign government" means any government  
14 other than the United States federal government or any  
15 government of a state, territory, district or political  
16 subdivision thereof;

17

18 (iv) "Military installation" means a base, camp,  
19 post, station, yard or center that is under the  
20 jurisdiction of the United States department of defense;

21

22 (v) "Party" means any natural person, business  
23 entity, corporation, company, association, firm,  
24 partnership, society, joint-stock company, trust, estate or  
25 any other legal entity, public or private;

26

27 (vi) "Prohibited foreign party" means:

28

1                   (A) A citizen or resident of a country  
2 specified as a foreign adversary in 15 C.F.R. § 791.4;

3

4                   (B) A foreign government formed within a  
5 country specified as a foreign adversary in 15 C.F.R. §  
6 791.4;

7

8                   (C) A party other than a natural person or  
9 a government, that is created or organized under the laws  
10 of a foreign government within a country specified as a  
11 foreign adversary in 15 C.F.R. § 791.4;

12

13                   (D) Any party other than a natural person  
14 or a government:

15

16                   (I) That is created or organized under  
17 the laws of any state of the United States; and

18

19                   (II) In which a significant interest  
20 or substantial control is directly or indirectly held or is  
21 capable of being exercised by any one (1) or more of the  
22 following:

23

1                                   (1) A citizen or resident of a  
2 country specified as a foreign adversary in 15 C.F.R. §  
3 791.4;

4

5                                   (2) A foreign government formed  
6 within a country specified as a foreign adversary in 15  
7 C.F.R. § 791.4;

8

9                                   (3) A party other than a natural  
10 person or a government, that is created or organized under  
11 the laws of a foreign government within a country specified  
12 as a foreign adversary in 15 C.F.R. § 791.4.

13

14                                   (E) An agent, trustee, subsidiary or other  
15 fiduciary of a natural person or business entity enumerated  
16 in subparagraphs (A) through (D) of this paragraph.

17

18                                   (vii) "Real property" means any interest in real  
19 property, including but not limited to, the fee estate,  
20 leasehold interests, easements, rights of way, subsurface  
21 interests, airspace interests and mineral interests in  
22 Wyoming;

23

1           (viii) "Significant interest" or "substantial  
2 control" means:

3  
4           (A) An interest of twenty-five percent  
5 (25%) or more held by:

6  
7           (I) A natural person referred to in  
8 subparagraph (vi) (A) of this subsection;

9  
10           (II) A foreign government referred to  
11 in subparagraph (vi) (B) of this subsection;

12  
13           (III) A party referred to in  
14 subparagraph (vi) (C) of this subsection; or

15  
16           (IV) A party referred to in  
17 subparagraph (vi) (D) of this subsection.

18  
19           (B) An interest of twenty-five percent  
20 (25%) or more held whenever the parties, natural persons or  
21 governments referred to in subparagraph (A) of this  
22 paragraph are acting in concert with respect to the  
23 interest even though no single natural person, party or

1 government holds an interest of twenty-five percent (25%)  
2 or more; or

3

4 (C) An interest of twenty-five percent  
5 (25%) or more, in the aggregate, held by parties, natural  
6 persons or governments referred to in subparagraph (A) of  
7 this paragraph even though the natural persons, parties or  
8 foreign governments may not be acting in concert.

9

10 **34-15-202. Ownership of real property on or around**  
11 **critical infrastructure and military installations**  
12 **prohibited; violations; enforcement.**

13

14 (a) No prohibited foreign party shall hold or acquire  
15 by grant, purchase, devise, descent or otherwise any  
16 interest in real property that is located in a critical  
17 infrastructure/military installation zone.

18

19 (b) A prohibited foreign party who holds or acquires  
20 any interest in real property in violation of subsection  
21 (a) of this section shall divest of the real property  
22 interest within eight (8) months of receiving notice from  
23 the Wyoming office of homeland security that the prohibited

1 foreign party holds real property in violation of  
2 subsection (a) of this section.

3

4 (c) If the prohibited foreign party does not divest  
5 of the real property interest within the time required by  
6 subsection (b) of this section, the attorney general shall  
7 commence an action for divestiture in a court of competent  
8 jurisdiction to enforce this section. If the court  
9 determines that the real property interest is held in  
10 violation of this section, the court shall order that the  
11 real property be sold at auction.

12

13 (d) The proceeds of any sale at auction of real  
14 property ordered by a court under subsection (c) of this  
15 section shall be disbursed to lien holders, in the order of  
16 priority, except for liens which under the terms of any  
17 sale are to remain on the real property. Any remaining  
18 proceeds shall be forfeited to the state.

19

20 (e) When pursuing an action for divestiture under  
21 subsection (c) of this section, the attorney general shall  
22 promptly record a copy of the following with the county  
23 clerk in the county where the real property is located:



1

2 (i) Upon commencement, notice of the pendency of  
3 an action brought under this section;

4

5 (ii) Any court order for the sale of the real  
6 property under this section.

7

8 **34-15-203. Registration; penalties.**

9

10 (a) A prohibited foreign party that holds or acquires  
11 real property in the state of Wyoming on or after July 1,  
12 2026 shall register the ownership of the real property with  
13 the secretary of state in accordance with the following:

14

15 (i) The registration shall be in a form and  
16 manner prescribed by the secretary of state;

17

18 (ii) The registration shall contain the  
19 following:

20

21 (A) The name and complete legal address of  
22 the party filing the registration;

23

1 (B) The name and complete legal address of  
2 every party holding an interest in the real property;

3

4 (C) A description of each party's interest  
5 in the real property;

6

7 (D) The location and current use of the  
8 real property; and

9

10 (E) Any other information prescribed by the  
11 secretary of state.

12

13 (iii) The initial registration shall be made not  
14 more than sixty (60) days after July 1, 2026 or not more  
15 than sixty (60) days after acquisition of the real  
16 property, whichever is later;

17

18 (iv) The registration shall be updated annually  
19 on or before March 31 of each year.

20

21 (b) The secretary of state shall promptly provide a  
22 copy of all registration information collected pursuant to

1 subsection (a) of this section to the Wyoming office of  
2 homeland security.

3

4 (c) A prohibited foreign party who fails to register,  
5 timely register or update registration annually as required  
6 by subsection (a) of this section shall be liable for a  
7 civil penalty of five thousand dollars (\$5,000.00) for each  
8 day the prohibited foreign party is not in compliance with  
9 subsection (a) of this section. The secretary of state  
10 shall notify the prohibited foreign party that they are not  
11 in compliance with subsection (a) of this section and shall  
12 impose and collect the civil penalty.

13

14 **34-15-204. Designation of critical**  
15 **infrastructure/military installation zones; county assessor**  
16 **reporting; investigations; subpoena power.**

17

18 (a) The Wyoming office of homeland security shall  
19 designate the critical infrastructure/military installation  
20 zones where prohibited foreign parties shall not hold or  
21 acquire real property under W.S. 34-15-202(a). Not later  
22 than July 1, 2026 and each July 1 thereafter, the office  
23 shall review the designation of critical

1 infrastructure/military installation zones to determine  
2 whether any designations should be modified.

3

4 (b) Not later than July 1 of each year, the Wyoming  
5 office of homeland security shall provide each county  
6 assessor sufficient information about designated critical  
7 infrastructure/military installation zones for the county  
8 assessor to determine whether conveyances include real  
9 property located in a critical infrastructure/military  
10 installation zone.

11

12 (c) The county assessor shall promptly report each  
13 conveyance, as defined by W.S. 19-13-501(a)(i), that  
14 includes real property located in a critical  
15 infrastructure/military installation zone to the Wyoming  
16 office of homeland security as required by W.S.  
17 34-1-143(b).

18

19 (d) Upon receiving a report from a county assessor  
20 under subsection (c) of this section or registration  
21 information from the secretary of state under W.S.  
22 34-15-203, the Wyoming office of homeland security shall,  
23 upon reasonable suspicion and to the extent possible,

1 investigate the conveyance to determine if the conveyance  
2 violates this article. If the office suspects or determines  
3 that a prohibited foreign party holds real property in  
4 violation of this article, the office shall report the  
5 suspected violation or violation to the attorney general.

6

7 (e) Upon receiving notice from the Wyoming office of  
8 homeland security pursuant to subsection (d) of this  
9 section or upon receiving information that leads the  
10 attorney general to believe that a violation of this  
11 article may exist, the attorney general shall petition a  
12 court of competent jurisdiction to issue subpoenas  
13 requiring the appearance of witnesses, production of  
14 relevant records and giving of relevant testimony to  
15 determine whether a prohibited foreign party holds real  
16 property in violation of this article.

17

18 **34-15-205. Validity of title.**

19

20 Title to real property shall not be invalid or subject to  
21 divestiture due to a violation of this article by any  
22 former owner who is a prohibited foreign party or by  
23 another person who is a prohibited foreign party holding or

1 owning a former interest in the real property when the real  
2 property is currently held by a person who is not a  
3 prohibited foreign party and who has a legitimate, legal  
4 interest in the property.

5

6 **34-15-206. Criminal penalties.**

7

8 A prohibited foreign party who knowingly acquires real  
9 property after July 1, 2025 in violation of W.S.  
10 34-15-202(a) shall upon conviction be guilty of a felony  
11 punishable by imprisonment for not more than two (2) years,  
12 a fine of not more than fifteen thousand dollars  
13 (\$15,000.00), or both.

14

15 **Section 2.** W.S. 19-13-105(c) by creating new  
16 paragraphs (viii) and (ix), 34-1-143, 39-13-103(b)(viii)  
17 and 39-13-107(b)(i)(C) are amended to read:

18

19 **19-13-105. Homeland security program.**

20

21 (c) The director is the administrative head of the  
22 Wyoming office of homeland security. In addition to the  
23 duties described in W.S. 19-13-104(d) the director:

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(viii) Shall investigate and, in conjunction with the attorney general, enforce the prohibition on ownership of real property by prohibited foreign parties under W.S. 34-15-202(a);

(ix) Shall designate the critical infrastructure/military installation zones where prohibited foreign parties shall not hold or acquire real property and provide information about critical infrastructure/military installation zones to county assessors in accordance with W.S. 34-15-204.

**34-1-143. Information to be furnished to department of revenue, state board of equalization and office of homeland security.**

(a) The county clerk shall place the recording data on the statement of consideration paid and deliver the statement to the county assessor. The county assessor shall furnish information from the statements of consideration to the state board of equalization and department of revenue as the board or department shall require, and when

1 disclosed under W.S. 34-1-142(g) and 39-13-109(b)(i), any  
2 person or his agent wishing to review or contest his  
3 property tax assessment or valuation and the county board  
4 of equalization. The county assessor may furnish  
5 information from the statements of consideration to a  
6 county assessor in another county in this state to be used  
7 as provided by law.

8  
9 (b) County assessors shall promptly report all  
10 conveyances that involve any real property located in a  
11 critical infrastructure/military installation zone to the  
12 Wyoming office of homeland security in accordance with W.S.  
13 34-15-204(c).

14  
15 **39-13-103. Imposition.**

16  
17 (b) Basis of tax. The following shall apply:

18  
19 (viii) Every assessment schedule sent to a  
20 taxpayer shall contain the property's estimated fair market  
21 value for the current and previous year, or, productive  
22 value in the case of agricultural property. The schedule  
23 shall also contain the assessment ratio as provided by



1 paragraph (b)(iii) of this section for the taxable  
2 property, the amount of taxes assessed on the taxable  
3 property from the previous year, an estimate of the taxes  
4 which will be due and payable for the current year based on  
5 the previous year's mill levies and, if the property is a  
6 single family residential structure, an estimate of the  
7 taxes that will be avoided if the property is eligible for  
8 the exemptions under W.S. 39-11-105(a)(xliii) and (xliv).  
9 The schedule shall also contain information stating that  
10 prohibited foreign parties are prohibited from holding or  
11 acquiring real property in a critical  
12 infrastructure/military installation zone in this state as  
13 provided by W.S. 34-15-202 and describing the requirement  
14 to register all prohibited foreign party ownership of real  
15 property with the secretary of state as provided by W.S.  
16 34-15-203. The schedule shall contain a statement of the  
17 process to contest assessments as prescribed by W.S. 39-13-  
18 109(b) (i);

19

20 **39-13-107. Compliance; collection procedures.**

21

22 (b) The following provisions shall apply to the  
23 payment of taxes, distraint of property and deferral:

1

2 (i) The following shall apply to the payment of  
3 taxes due:

4

5 (C) Annually, on or before October 10 the  
6 county treasurer shall send a written statement to each  
7 taxpayer by mail at his last known address or, if offered  
8 by the county and upon request of the taxpayer, by  
9 electronic transmission of the total tax due, itemized as  
10 to property description, assessed value and mill levies.  
11 The notice shall contain information, including contact  
12 information, of any property tax relief program authorized  
13 by state law and, if the property is a single family  
14 residential structure, the taxes that will be avoided  
15 pursuant to the exemptions under W.S. 39-11-105(a)(xliii)  
16 and (xliv). The notice shall contain information stating  
17 that prohibited foreign parties are prohibited from holding  
18 or acquiring real property in a critical  
19 infrastructure/military installation zone in this state as  
20 provided by W.S. 34-15-202 and describing the requirement  
21 to register all prohibited foreign party ownership of real  
22 property with the secretary of state as provided by W.S.

1 34-15-203. Failure to send notice, or to demand payment of  
2 taxes, does not invalidate any taxes due;

3

4 **Section 3.** The office of homeland security and the  
5 secretary of state shall promulgate all rules necessary to  
6 implement the provisions of this act.

7

8 **Section 4.**

9

10 (a) The office of homeland security is authorized up  
11 to two (2) full-time positions for the period beginning  
12 with the effective date of this act and ending June 30,  
13 2028 for the purpose of hiring employees for the office of  
14 homeland security to implement and execute the requirements  
15 of sections 1 and 2 of this act. It is the intent of the  
16 legislature that the office of homeland security include  
17 these positions in its standard budget request for the  
18 immediately succeeding fiscal biennium.

19

20 (b) There is appropriated three hundred thousand  
21 dollars (\$300,000.00) from the general fund to the office  
22 of homeland security for the period beginning with the  
23 effective date of this act and ending June 30, 2028 to be

1 expended only for purposes of funding the positions  
2 authorized in subsection (a) of this section for purposes  
3 of implementing and executing the requirements of sections  
4 1 and 2 of this act. This appropriation shall not be  
5 transferred or expended for any other purpose and any  
6 unexpended, unobligated funds remaining from this  
7 appropriation shall revert as provided by law on June 30,  
8 2028. It is the intent of the legislature that this  
9 appropriation be included in the standard budget request of  
10 the office of homeland security for the immediately  
11 succeeding fiscal biennium.

12

13 **Section 5.** This act is effective if an amendment is  
14 made to Article 1, Section 29 of the Wyoming Constitution  
15 that allows the legislature to prohibit foreign adversaries  
16 and specified foreign entities from owning property in  
17 Wyoming.

18

19

(END)