

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. [BILL NUMBER]

Tax increment financing.

Sponsored by: Joint Corporations, Elections & Political  
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to the Wyoming Urban Renewal Code;  
2 expanding the application of the code to include the  
3 provision of affordable housing; providing findings and  
4 definitions; making conforming changes; and providing for  
5 an effective date.

6

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

8

9 **Section 1.** W.S. 15-9-102 by creating a new subsection  
10 (d), 15-9-103(a)(iii), (xvii), (xix)(intro) and by creating  
11 a new paragraph (xx), 15-9-104(a)(intro), 15-9-105(a)(i),  
12 (iii), (b)(i), 15-9-106(a)(i) and (ii), 15-9-107,

1 15-9-110(a) (iv), (b) (i), 15-9-115(a) (iii),  
2 15-9-116(a) (ii) (intro) and (b) and 15-9-120(a) (i) are  
3 amended to read:

4

5 **15-9-102. Legislative findings.**

6

7 (d) It is further found and declared that there  
8 exists in municipalities of the state a lack of affordable  
9 housing which is injurious to the public health, safety,  
10 morals and welfare of the residents of the state; that the  
11 lack of affordable housing constitutes an economic and  
12 social liability imposing onerous municipal burdens which  
13 decrease the tax base and reduce tax revenues and  
14 substantially impairs or arrests the sound growth of  
15 municipalities; and that the provision of affordable  
16 housing is a matter of state policy and state concern.

17

18 **15-9-103. Definitions.**

19

20 (a) As used in this chapter, unless a different  
21 meaning is clearly indicated by the context:

22

1           (iii) "Blighted area" means an area which by  
2 reason of the presence of not less than four (4) of  
3 conditions for a blighted area specified in this paragraph.  
4 The conditions for a blighted area are a substantial number  
5 of slums, deteriorated or deteriorating structures,  
6 predominance of defective or inadequate street layout,  
7 faulty lot layout in relation to size, adequacy,  
8 accessibility or usefulness, unsanitary or unsafe  
9 conditions, deterioration of site or other improvements,  
10 diversity of ownership, tax or special assessments,  
11 delinquency exceeding the fair value of the land, defective  
12 or unusual conditions of title, or the existence of  
13 conditions which endanger life or property by fire and  
14 other causes, or ~~any combination of those factors,~~  
15 substantially impairs or arrests the sound growth of a  
16 municipality, retards the provision of housing  
17 accommodations or constitutes an economic or social  
18 liability and is a menace to the public health, safety,  
19 morals or welfare in its present condition and use.  
20 However, if the blighted area consists of open land, the  
21 conditions contained in W.S. 15-9-110(b) apply and any  
22 disaster area referred to in W.S. 15-9-112 constitutes a  
23 "blighted area";

1

2 \*\*\*\*\*

3 \*\*\*\*\*

4 STAFF COMMENT

5 There was also discussion of expanding the definition of  
6 blighted area to include areas of distressed properties.  
7 Additional revisions to the definition above could be made  
8 by the Committee to broaden or expand the definition.

9 \*\*\*\*\*

10 \*\*\*\*\*

11

12 (xvii) "Urban renewal area" means a slum area,  
13 ~~or a~~ blighted area or ~~a combination thereof which~~ other  
14 area that the local governing body designates as  
15 appropriate for an urban renewal project as provided in  
16 this chapter;

17

18 (xix) "Urban renewal project" includes  
19 undertakings and activities of a municipality in one (1) or  
20 more urban renewal areas for the provision of affordable  
21 housing or for the elimination ~~and for or~~ the prevention of  
22 the development or spread of slums and blight, and may  
23 involve slum clearance and redevelopment in an urban  
24 renewal area, or rehabilitation or conservation in an urban  
25 renewal area, or any combination or part thereof in  
26 accordance with an urban renewal plan. The undertakings  
27 and activities may include:

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(xx) "Affordable housing" means housing where the occupant is paying no more than thirty percent (30%) of their gross income for housing costs including utilities.

\*\*\*\*\*  
\*\*\*\*\*  
STAFF COMMENT  
The definition above is based on the U.S. Department of Housing and Urban Development definition of affordable housing.  
An alternative definition used in a recent bill in the Wyoming Legislature (2023 HB 162) was as follows:  
"Affordable housing" means housing that is rented to or owned by a person who qualifies as a low income or moderate income household as defined by the city, town or county where the housing is located.  
\*\*\*\*\*  
\*\*\*\*\*

15-9-104. Private enterprise to be preferred; when considered.

(a) A municipality, to the greatest extent it determines to be feasible in carrying out the provisions of this chapter and consistent with its needs, shall afford maximum opportunity to the provision of affordable housing or the development, rehabilitation or redevelopment of the urban renewal area by private enterprise. A municipality

1 shall give consideration to this objective in exercising  
2 its powers under this chapter, including the:

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4 **15-9-105. Workable program; formulation; objectives**  
5 **and provisions thereof.**

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7 (a) For the purposes of this chapter a municipality  
8 may formulate for itself a workable program for utilizing  
9 appropriate private and public resources to:

10

11 (i) Provide affordable housing or eliminate and  
12 prevent the development or spread of slums and urban  
13 blight;

14

15 (iii) Provide for the development of the urban  
16 renewal area as provided in this chapter or the  
17 redevelopment of slum and blighted areas; or

18

19 (b) A workable program may include provisions for  
20 the:

21

22 (i) Provision of affordable housing or the  
23 prevention of the spread of blight through diligent

1 enforcement of housing, zoning and occupancy controls and  
2 standards;

3  
4 **15-9-106. Initiative resolution; how adopted;**  
5 **findings.**

6  
7 (a) No municipality shall exercise the authority  
8 conferred upon municipalities by this chapter until the  
9 local governing body, on its own motion or by virtue of a  
10 petition signed by twenty-five (25) or more electors of the  
11 municipality, has adopted a resolution finding that:

12  
13 (i) There is a lack of affordable housing or  
14 that one (1) or more slum or blighted areas exist in the  
15 municipality; and

16 \*\*\*\*\*  
17 \*\*\*\*\*  
18 **STAFF COMMENT**  
19 **It may be advisable to be more specific in what constitutes**  
20 **a lack of affordable housing, such as by establishing a**  
21 **metric comparing the average household income to the price**  
22 **of the housing inventory in the municipality.**  
23 \*\*\*\*\*  
24 \*\*\*\*\*  
25

26 (ii) The rehabilitation, conservation,  
27 development, redevelopment or a combination thereof of the

1 area or areas is necessary in the interest of the public  
2 health, safety, morals or welfare of the residents of the  
3 municipality.

4

5 **15-9-107. Preliminary requirements for projects;**  
6 **generally.**

7

8 An urban renewal project for an urban renewal area shall  
9 not be planned or initiated unless the governing body, by  
10 resolution, has determined the area has a lack of  
11 affordable housing and is appropriate for affordable  
12 housing or has determined the area to be a slum area or a  
13 blighted area or a combination thereof and designated it as  
14 an urban renewal area and determined the area appropriate  
15 for an urban renewal project under this chapter. A  
16 municipality shall not acquire real property for any urban  
17 renewal project unless the local governing body has  
18 approved the urban renewal project in accordance with W.S.  
19 15-9-110.

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21 **15-9-110. Preliminary requirements for projects;**  
22 **approval by and findings of governing body.**

23



1 (a) Following the hearing specified in W.S. 15-9-109,  
2 the local governing body may approve an urban renewal  
3 project and the plan therefor if it finds that:

4

5 (iv) The urban renewal plan affords maximum  
6 opportunity, consistent with the municipality's needs, for  
7 the rehabilitation, development or redevelopment of the  
8 urban renewal area by private enterprise.

9

10 (b) If the urban renewal area consists of an area of  
11 open land to be acquired by the municipality, the area  
12 shall not be so acquired unless:

13

14 (i) If it is to be developed for residential  
15 uses, the local governing body shall determine that:

16

17 (A) A shortage of housing of sound  
18 standards and design which is affordable, decent, safe and  
19 sanitary exists in the municipality;

20

21 (B) ~~The~~ There is a need for affordable  
22 housing or that accommodations has been or will be

1 increased as a result of the clearance of slums in other  
2 areas;

3

4 (C) The lack of affordable housing, the  
5 conditions of blight in the area ~~and~~or the shortage of  
6 decent, safe and sanitary housing ~~cause or contribute to an~~  
7 ~~increase in and spread of disease and crime and~~ constitute  
8 a menace to the public health, safety, morals or welfare;  
9 and

10

11 (D) The acquisition of the area for  
12 residential uses or affordable housing is an integral part  
13 of and essential to the program of the municipality;

14

15 **15-9-115. Property acquired in project; disposition**  
16 **and use generally.**

17

18 (a) A municipality may:

19

20 (iii) Retain the property or interest for public  
21 use in accordance with the urban renewal plan, subject to  
22 any covenants, conditions and restrictions, including  
23 covenants running with the land, as it deems necessary or

1 desirable to assist in providing affordable housing,  
2 preventing the development or spread of future slums or  
3 blighted areas or to otherwise carry out the purposes of  
4 this chapter.

5

6 **15-9-116. Property acquired in project; disposition**  
7 **to private persons; procedure; notice; proposals;**  
8 **contracts.**

9

10 (a) A municipality may:

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12 (ii) By notice published once each week for four  
13 (4) consecutive weeks in a newspaper having a general  
14 circulation in the community, prior to the execution of any  
15 contract to sell, lease or otherwise transfer real property  
16 and prior to the delivery of any instrument of conveyance  
17 with respect thereto under the provisions of this section,  
18 invite proposals from and make available all pertinent  
19 information to private developers or redevelopers or any  
20 persons interested in undertaking to develop affordable  
21 housing or to redevelop or rehabilitate an urban renewal  
22 area or any part thereof. The notice shall:

23

1           (b) The municipality shall consider all affordable  
2 housing development, redevelopment or rehabilitation  
3 proposals and the financial and legal ability of the  
4 persons making the proposals to carry them out. The  
5 municipality may accept any proposals it deems to be in the  
6 public interest and in furtherance of the purposes of this  
7 chapter. A notification of intention to accept a proposal  
8 shall be filed with the governing body not less than thirty  
9 (30) days prior to acceptance. Thereafter the municipality  
10 may execute a contract and deliver deeds, leases and other  
11 instruments and take all steps necessary to effectuate a  
12 contract in accordance with the provisions of W.S.  
13 15-9-115.

14

15           **15-9-120. Taxes upon property; authorized division**  
16 **thereof.**

17

18           (a) Any urban renewal plan may contain a provision  
19 that taxes, if any, levied upon taxable property in an  
20 urban renewal project each year by or for the benefit of a  
21 municipality in the state shall be divided as follows:

22

1           (i) That portion of the taxes which would be  
2 produced by the rate upon which the tax is levied each year  
3 by or for each of the taxing agencies upon the total sum of  
4 the assessed value of the taxable property in the urban  
5 renewal project as shown upon the assessment roll used in  
6 connection with the taxation of the property by the taxing  
7 agency, last equalized prior to the effective date of the  
8 urban renewal project shall be allocated to and, when  
9 collected, paid into the funds of the respective taxing  
10 agencies as taxes by or for those taxing agencies on all  
11 other property are paid (for the purpose of allocating  
12 taxes by or for any taxing agency which did not include the  
13 territory in the urban renewal project on the effective  
14 date of the project but which territory had been annexed or  
15 otherwise included after the effective date, the assessment  
16 of the county last equalized on the project shall be used  
17 in determining the assessed valuation on the taxable  
18 property in the project on the effective date). For the  
19 purposes of this paragraph, the assessed value of the  
20 taxable property in an urban renewal project shall mean the  
21 aggregate value of all property located within the  
22 geographical boundaries of the project and notwithstanding  
23 any of the requirements imposed under title 39, chapter 13

1 of Wyoming statutes, the assessed value of the taxable  
2 property in an urban renewal project as provided under this  
3 paragraph shall not be modified during the term of the  
4 project; and

5

6 **Section 2.** The department of revenue shall promulgate  
7 all rules necessary to implement this act, including any  
8 amendment of rules previously promulgated as required by  
9 W.S. 39-13-103(b) (ii).

10

11 **Section 3.**

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

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18 (b) Section 1 of this act is effective July 1, 2025.

19

20

(END)