

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Subleasing for grazing-state trust lands.

Sponsored by: Joint Agriculture, State and Public Lands &
Water Resources Interim Committee

A BILL

for

1 AN ACT relating to state lands; clarifying when excess
2 rental fees are not required to be paid by a lessee and
3 cancellation of a lease is not required regarding state
4 trust lands used for grazing; authorizing the use of non-
5 owned livestock grazing fees as specified; repealing
6 obsolete provisions; specifying applicability; and
7 providing for an effective date.

8

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

10

1 **Section 1.** W.S. 36-5-105(d)(intro), (iv)(intro), (A),
2 (B) and by creating a new subparagraph (D) is amended to
3 read:

4

5 **36-5-105. Criteria for leasing; preferences;**
6 **assignments, subleases or contracts; lands taken for war**
7 **purposes; mineral lands excepted; agricultural lands.**

8

9 (d) If the lessee of state lands ~~shall assign,~~
10 ~~sublease or contract~~ assigns, subleases or contracts all or
11 any part of the lease area or authorizes the grazing of
12 non-owned livestock where the responsibility for grazing
13 management is not maintained by the lessee, the lease shall
14 be subject to cancellation unless the director approves the
15 assignment, sublease or contract subject to criteria
16 established by the board of land commissioners provided
17 that:

18

19 (iv) A lessee of state lands whose lease
20 authorizes grazing on the state lands shall not be required
21 to obtain the approval of the director to allow livestock
22 the lessee does not own to graze on the state lands and

1 shall not be subject to the payment of excess rentals
2 provided that all of the following are satisfied:

3
4 (A) The ratio-grazing of livestock owned ~~to~~
5 ~~non-owned~~ by a person distinct from the lessee, but still
6 managed by the lessee, shall not be subject to the
7 provisions of subsection (d) of this section if livestock
8 ~~grazed by the lessee does not exceed one to one (1:1) for~~
9 ~~more than two (2) years in any ten (10) year period not~~
10 less than eighty percent (80%) of the grazed livestock is
11 owned by the lessee and the person distinct from the
12 lessee;

13
14 (B) The responsibility for grazing
15 management is not transferred to the owner of the livestock
16 or another person and the lessee provides documentation on
17 the lessee's grazing of non-owned livestock to the office
18 of state lands and investments; ~~and~~

19
20 (D) The grazing of non-owned livestock
21 under this paragraph shall be subject to payment of a non-
22 owned livestock grazing fee established by the board in an
23 amount not to exceed ten percent (10%) of the annual rent

1 of the land on which the livestock is grazed multiplied by
2 the percentage of non-owned livestock on the leased land.

3
4 **Section 2.** W.S. 36-5-105(d)(iv)(C) and (vi) is
5 repealed.

6
7 *****
8 *****
9 STAFF COMMENT

10
11 The repealed language is stricken in blue as follows:

12
13 (d) If the lessee of state lands shall assign,
14 sublease or contract all or any part of the lease area, the
15 lease shall be subject to cancellation unless the director
16 approves the assignment, sublease or contract subject to
17 criteria established by the board of land commissioners
18 provided that:

19
20 (iv) A lessee of state lands whose lease
21 authorizes grazing on the state lands shall not be required
22 to obtain the approval of the director to allow livestock
23 the lessee does not own to graze on the state lands
24 provided that:

25
26 (C) ~~The lessee retains full management~~
27 ~~responsibility of the livestock that grazes on the state~~
28 ~~lands.~~

29
30 (vi) ~~For purposes of paragraph (iv) of this~~
31 ~~subsection, "full management responsibility" includes all~~
32 ~~duties, obligations and liabilities as if the livestock~~
33 ~~were owned by the lessee.~~

34
35 *****
36 *****
37

1 **Section 3.** This act applies only to leases entered
2 into or renewed on or after July 1, 2026.

3

4 **Section 4.** This act is effective July 1, 2026.

5

6 (END)