

HOUSE BILL NO. HB0170

State lands-surface damage payments.

Sponsored by: Representative(s) Gay

A BILL

for

1 AN ACT relating to state lands; providing for damage  
2 payments from third party users of state lands; providing  
3 for use and distribution of revenues; and providing for an  
4 effective date.

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

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8 **Section 1.** W.S. 36-5-118 is created to read:

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10 **36-5-118. Payment for damaged lands.**

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12 (a) The office of state lands and investments and the  
13 grazing lessee shall negotiate a payment from a third party  
14 for any damage to the surface of any leased state lands  
15 resulting from the entry upon the leased state lands by the  
16 third party. The payment shall be consistent with any  
17 payment made for damages to adjacent lands. Any payment

1 shall be made payable to the office of state lands and  
2 investments who shall transmit the money collected to the  
3 state treasurer. As determined by the director of the  
4 office of state lands and investments, the treasurer shall  
5 credit not more than ten percent (10%) of each payment to  
6 a damage payment account within the earmarked revenue fund.  
7 The remaining funds shall be credited to the proper  
8 accounts within the permanent land fund or to the general  
9 fund as provided by the Wyoming Funds Consolidation Act and  
10 W.S. 9-4-310. From the damage payment account, the auditor  
11 shall pay the appropriate grazing lessee the amount  
12 deposited in the account from the payment.

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14 (b) The following persons shall not be considered  
15 third parties subject to the requirements of this section:

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17 (i) Members of the board of state lands and  
18 investments or its representative when entering state lands  
19 for the purposes of management or administration of the  
20 state lands; and

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22 (ii) Members of the public when entering for  
23 purposes of recreation.

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1       **Section 2.** This act is effective July 1, 2002.

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(END)