

HOUSE BILL NO. HB0028

Revisor's bill.

Sponsored by: Management Council

A BILL

for

1 AN ACT relating to a revision of inadvertent errors;
2 correcting statutory references and language that were
3 erroneously made to the statutes as a result of legislation
4 previously adopted by the legislature; providing for
5 application as specified; and providing for an effective
6 date.

7

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

9

10 **Section 1.** W.S. 11-11-105, 22-29-408(b), 31-5-234(e),
11 39-11-101(a)(vi), 39-13-102(g), 39-15-203(a)(i)(E)(V) and
12 41-2-1001(g) are amended to read:

13

14 **11-11-105. Cash or surety bond required; amount;**
15 **approval by director; conditions; exception.**

16

1 Each applicant for a warehouseman's or warehouse license
2 shall post a cash bond or execute and file with the
3 director a good and sufficient surety bond in an amount
4 determined by the board of agriculture based on the maximum
5 number of hundred weight the warehouseman or warehouse can
6 store in the warehouses for which the bond is required, but
7 not less than twenty thousand dollars (\$20,000.00). A
8 surety bond shall be executed by a responsible surety
9 company licensed to do business in this state, approved by
10 the director, and conditioned upon the faithful performance
11 of the ~~warehouseman's~~ obligation of the warehouseman or
12 person operating a warehouse ~~obligation~~ under the laws of
13 this state and of any additional obligations assumed by him
14 under contract with those who deposit grain with him. All
15 bonds shall be payable to the state for the benefit of any
16 injured party, and shall be in ~~such~~ the form and contain
17 ~~such~~ additional conditions as the director may prescribe.
18 No person is required to file ~~such~~ a bond who has already
19 posted similar bond with the United States department of
20 agriculture pursuant to the United States Warehouse Act of
21 August 11, 1916, as amended.

22

23 **22-29-408. Dissolution without election.**

24

1 (b) The election required by W.S. 22-29-404 shall be
2 dispensed with and the board of county commissioners shall
3 declare the district dissolved if the director of the
4 department of audit has notified the board of county
5 commissioners of the district's failure to comply with the
6 reporting requirements of W.S. 9-1-507, and the district
7 has failed to comply with W.S. ~~9-1-407(a)(vii)~~
8 9-1-507(a)(vii) by December 30 of that same calendar year.
9

10 **31-5-234. Unlawful operation of vehicle by youthful**
11 **driver with detectable alcohol concentration; penalty.**
12

13 (e) A person convicted of violating this section
14 shall be guilty of a misdemeanor punishable by a fine of
15 not more than seven hundred fifty dollars (\$750.00). A
16 person convicted of violating this section a second time
17 within one (1) year of the first conviction is guilty of a
18 misdemeanor punishable by imprisonment for not more than
19 one (1) month, a fine of not more than seven hundred fifty
20 dollars (\$750.00), or both. A person convicted of a third
21 or subsequent conviction under this section within two (2)
22 years shall be guilty of a misdemeanor punishable by
23 imprisonment for not more than six (6) months, a fine of
24 not more than seven hundred fifty dollars (\$750.00), or

1 both. The court may order the person to undergo a substance
2 abuse assessment and complete any recommended treatment for
3 any conviction under this section as a condition of
4 probation. Notwithstanding any other provision of law, the
5 term of probation imposed by a judge under this section may
6 exceed the maximum term of imprisonment established for the
7 offense under this subsection provided the term of
8 probation together with any extension thereof, shall in no
9 case exceed three (3) years.

10

11 **39-11-101. Definitions.**

12

13 (a) As used in this act unless otherwise specifically
14 provided:

15

16 (vi) "Fair market value" means the amount in
17 cash, or terms reasonably equivalent to cash, a well
18 informed buyer is justified in paying for a property and a
19 well informed seller is justified in accepting, assuming
20 neither party to the transaction is acting under undue
21 compulsion, and assuming the property has been offered in
22 the open market for a reasonable time, except, fair market
23 value of agricultural land shall be determined as provided
24 by W.S. 39-13-103(b)(x) and fair market value of mine

1 products shall be determined as provided by W.S.
2 39-14-103(b), 39-14-203(b), 39-14-303(b), 39-14-403(b),
3 39-14-503(b), 39-14-603(b) and 39-14-703(b);

4

5 **39-13-102. Administration; confidentiality.**

6

7 (g) On or before the first ~~Tuesday~~Monday of August,
8 the board of county commissioners shall by order entered of
9 record levy the requisite taxes for the year. On or before
10 the third Monday in August the county assessor shall
11 compute the taxes from the corrected valuations as
12 corrected by the state board and entered by the county
13 assessor in the column of corrected valuations. The county
14 assessor shall deliver the tax list and his warrant for the
15 collection of the taxes to the county treasurer setting
16 forth the assessment roll, with the taxes extended,
17 containing in tabular form and alphabetical order the names
18 of persons in whose names property has been listed in the
19 county, with the classes of property and the value, total
20 amount of taxes and column of numbers and values and total
21 taxes footed commanding the treasurer to collect the taxes.
22 At the end of the tax list and warrant, the county assessor
23 shall prorate the total taxes levied to the several funds.

24

1 **39-15-203. Imposition.**

2

3 (a) Taxable event. The following shall apply:

4

5 (i) The following provisions apply to imposition
6 of the general purpose excise tax under W.S.
7 39-15-204(a)(i):

8

9 (E) If the proposition is approved by the
10 qualified electors or under subparagraph (F) of this
11 paragraph, the board of county commissioners shall by
12 ordinance impose an excise tax upon retail sales of
13 tangible personal property, admissions and services. The
14 board of county commissioners or the city or town council
15 shall adopt an ordinance for the tax authorized by W.S.
16 39-15-204(a)(i). The ordinance shall include the following:

17

18 (V) A provision that the amount
19 subject to the sales tax shall not include the amount of
20 any sales imposed by the state of Wyoming.

21

22 **41-2-1001. Creation; use of funds; interest.**

23

1 (g) Revenues received by the state from the lease,
2 sale, assignment or transfer of water from projects funded
3 by the Wyoming water development program or from the lease,
4 sale, assignment or transfer of projects, or any portions
5 thereof, funded by the Wyoming water development program
6 shall be deposited into the account created by paragraph
7 ~~(a)(v)~~ (a)(iv) of this section. The Wyoming water
8 development commission shall administer the account and use
9 any monies in the account to meet the contract obligations
10 of the state relative to said leases, sales, assignments or
11 transfers. The account balance shall at no time exceed
12 fifty thousand dollars (\$50,000.00).

13

14 **Section 2.** W.S. 7-22-116 and 21-18-202(b)(iii) are
15 repealed.

16

17 **Section 3.** Any other act adopted by the Wyoming
18 legislature during the same session in which this act is
19 adopted shall be given precedence and shall prevail over
20 the amendments in this act to the extent that the acts are
21 in conflict with this act.

22

1 **Section 4.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

5

6

(END)