

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. \_\_\_\_\_

Special districts-elections.

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

A BILL

for

1 AN ACT relating to special districts; removing requirement  
2 that no voters reside in an area in order to allow  
3 enlargement without election; limiting taxing authority  
4 when districts have not properly mapped boundaries; and  
5 providing for an effective date.

6

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

8

9 **Section 1.** W.S. 22-29-301(a)(i) and 39-11-

10 102(c)(xxiv) are amended to read:

11

12 **22-29-301. Enlargement petitions.**

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1           (a) When the voters of an area wish to join a  
2 district, they may file an enlargement petition with the  
3 county commissioners. If there are no voters within an area  
4 proposed to be included in a district, the landowners of  
5 the area may file an enlargement petition with the county  
6 commissioners. Unless otherwise provided under this  
7 subsection, the petition for enlargement shall include  
8 provisions allowing the board of district directors to be  
9 enlarged by one (1) or more positions to be filled by  
10 voters residing or located in the new area, the number of  
11 positions to be determined by the petitioners and the  
12 district directors of the existing district. Before the  
13 petition is filed with the county commissioners, it shall  
14 be approved by the directors of the affected district and  
15 by any other agency also required by the principal act to  
16 approve the petition. The petition process shall be  
17 governed by W.S. 22-29-105 through 22-29-108. An election  
18 need not be held on an enlargement petition if the petition  
19 alleges and the county commissioners find:

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21           (i) All landowners within the new area and the  
22 board of directors of the district agree to the inclusion  
23 of the new area within the district. ~~and~~

1

2           **39-11-102.                    Administration;            confidentiality;**

3 **department of revenue.**

4

5            (c)     In addition to the other powers and duties  
6 imposed by law, the department shall:

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8                    (xxiv)     Promulgate rules and regulations as  
9 provided by the Wyoming Administrative Procedure Act,  
10 necessary to map and keep record of the geographical  
11 boundaries for all special districts and governmental  
12 entities with the authority to levy or require the levy of  
13 property taxes.     Notwithstanding any other provision of  
14 law, no special district or governmental entity with  
15 authority to levy or require the levy of property taxes  
16 shall levy any property taxes unless in compliance with the  
17 rules and regulations promulgated pursuant to this  
18 subsection.

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20            **Section 2.**    W.S. 22-29-301(a)(ii) is repealed.

21

22            **\*\*\*     Staff note:     Repealing this provision is**  
23 **problematic for the reasons stated in the accompanying**  
24 **memo.    Under the analysis in that memo, renters pay taxes**

1 **through increased rents and are entitled to vote under the**  
2 **equal protection clause of the constitution.**

3

4 **Section 3.** This act is effective July 1, 2008.

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6

(END)