

SENATE FILE NO. SF0107

Lawful fence standards-preemption.

Sponsored by: Senator(s) Hicks, Boner and Driskill and
Representative(s) Allen, Clausen, Hunt and
Lindholm

A BILL

for

1 AN ACT relating to fences and cattle guards; preempting
2 county regulation of lawful fence standards; and providing
3 for an effective date.

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

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7 **Section 1.** W.S. 11-28-109 is created to read:

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9 **11-28-109. Lawful fence standards-preemption.**

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11 (a) No county shall adopt any ordinance, bylaw or
12 other regulation relating to a lawful fence which varies
13 from the standards set forth in W.S. 11-28-102.

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1 (b) No county shall require any landowner to modify
2 any fence that meets or exceeds the requirements of W.S.
3 11-28-101 through 11-28-109.

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5 (c) An ordinance, bylaw or other regulation in
6 violation of this section is void.

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8 **Section 2.** W.S. 11-28-101 is amended to read:

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10 **11-28-101. Who considered owner.**

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12 Any person occupying, using, enjoying, maintaining or
13 having the charge of any enclosure shall be considered the
14 owner thereof, in any action commenced under the provisions
15 of W.S. 11-28-101 through ~~11-28-108~~ 11-28-109.

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17 **Section 3.** This act is effective July 1, 2018.

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(END)