

HOUSE BILL NO. HB0209

Split estates-measure of damages.

Sponsored by: Representative(s) Clausen, Barlow, Henderson and Lindholm and Senator(s) Boner, Rothfuss and Wasserburger

A BILL

for

1 AN ACT relating to oil and gas operations; amending provisions
2 related to surface damage and disruption payments; and
3 providing 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. 30-5-405(a)(i) is amended to read:

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9 **30-5-405. Surface damage and disruption payments;**
10 **penalty for late payment.**

11

12 (a) The oil and gas operator shall pay the surface owner
13 as follows:

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1 (i) A sum of money or other compensation equal to
2 the greater of:

3
4 (A) The actual amount of damages sustained by
5 the surface owner for loss of production and income, loss of
6 land value and loss of value of improvements caused by oil
7 and gas operations;

8
9 (B) The fair market value of the loss
10 sustained by the surface owner of production and income, loss
11 of land value and loss of value of improvements caused by oil
12 and gas operations. For purposes of this subparagraph, "fair
13 market value" means amounts paid by the same or another
14 operator for damages of a comparable type to the same or
15 similar property and amounts paid for damages that caused a
16 comparable loss of land value, production and income.

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18 **Section 2.** This act is effective July 1, 2019.

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(END)