

## HOUSE BILL NO. HB0021

State lands-use of land qualification requirements.

Sponsored by: Joint Agriculture, State and Public Lands &  
Water Resources Interim Committee

A BILL

for

1 AN ACT relating to state lands; requiring an applicant to  
2 have actual and necessary use of state lands to be  
3 qualified to lease state lands; making conforming  
4 amendments; and providing for an effective date.

5

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

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8 **Section 1.** W.S. 36-5-105(b)(intro), (c)(intro) and by  
9 creating a new subsection (j) is amended to read:

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11 **36-5-105. Criteria for leasing; preferences;**  
12 **assignments, subleases or contracts; lands taken for war**  
13 **purposes; mineral lands excepted; agricultural lands.**

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1           (b) No applicant shall be qualified to lease vacant  
2 lands unless that applicant is qualified under the  
3 provisions of W.S. 36-5-101, ~~has actual and necessary use~~  
4 ~~for the land,~~ has or can gain access to the land and offers  
5 to pay an annual rental at not less than fair market value,  
6 as determined by the economic analysis pursuant to W.S.  
7 36-5-101(b), for the same or similar use of the land for a  
8 period of ten (10) years and who has not been found to have  
9 significantly violated any laws or regulations related to  
10 state lands. Also in leasing vacant lands:

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12           (c) An applicant who is the holder of an expiring  
13 lease, and has paid the rental when due, and has not  
14 violated the provisions of the lease, and is qualified  
15 under the provisions of W.S. 36-5-101, shall have a  
16 preferred right to renew such lease by meeting the highest  
17 bid offered by another qualified applicant ~~who has actual~~  
18 ~~and necessary use for the land and available forage and~~  
19 whose bid is not less than the minimum fair market value as  
20 determined by the board for the same or a similar use of  
21 land using the formula developed pursuant to W.S.  
22 36-5-101(b) and not more than one hundred twenty percent  
23 (120%) of the maximum fair market value as determined by

1 the board based on the previous year's values for the  
2 state, district or county, whichever is most localized and  
3 available, as determined by the national agricultural  
4 statistics service utilizing:

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6 (j) No applicant shall be qualified to lease state  
7 lands for grazing and agricultural purposes without having  
8 actual and necessary use of the land or forage.

9

10 **Section 2.** This act is effective July 1, 2023.

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(END)