

BILLS TO WATCH IN CHEYENNE

If you did not receive the recent email from Dave Fraser, please see the below.

There are some to really watch:

HB 185 - Additional Direct Distribution

HB 191 - Pharmacy Bill

HB 216 - Utilities/rentals/landlords

From: Dave Fraser <dfraser@wyomuni.org>

Sent: Tuesday, January 24, 2023 10:00 AM

Subject: 2023 Wyoming Legislature, week 2

The second week of the legislative session concluded on Friday January 20th. As of Friday afternoon, approximately 350 bills were filed. The following is a summary of the status of the most significant bills WAM is tracking. Please note these are not all the bills we are following, but the ones that most directly affect our members.

The WAM Website contains information on the bills we are tracking, along with status of each bill. The site may be found at: <https://wyomuni.org/wam-legislative-tracking-database/>. From this page, click the Track All Bills hyperlink. This will take you the list of bills being tracking. From there you can go directly to bill. You can also sort by bills that WAM is supporting, opposing, and monitoring. To review the complete list of bills that have been filed, go the Wyoming State Legislature website. It may be found at <https://wyoleg.gov/Legislation/2023>

Second Week Highlights

The second week of the session was very busy with many bills being filed, committee meetings and floor sessions. The following paragraphs provide a summary of the week's activity for the bills WAM is tracking. The bills highlighted in *italics* are bills that were introduced the second week of the session. Shaded text are bills that are dead or will not move forward.

House Bill 02– Town Officers – Salary Waiver

This bill allows a town council member or mayor to refuse their salaries. This bill passed the Committee of the Whole this week. WAM is monitoring this bill

House Bill 40 – Airport Districts

This bill allows for the creation of a special improvement district for the purpose of supporting airports. The bill was referred to House Minerals, but we hear the Chairman does not intend to hear it.

House Bill 42 – Off Road Recreational vehicle operations

This bill allows for the use of the Interstate right of way for off road vehicles in certain situations. This bill would enable the off-road network in southwest Wyoming to be connected across I-80. The bill has passed the House and headed for the Senate. WAM is supporting this bill.

House Bill 45 – Peace Officer Retirement and rehiring

This bill provides that once a peace officer has retired; he(she) can be rehired without adverse impacts to the retiree pensions benefits. The bill has passed the House.

House Bill 46 – Wyoming Public Safety Communications Trust Fund.

This bill appropriates \$100 million to establish a trust fund to fund the WYOLink System. 90% of the investment earnings would pay for the operations and maintenance of WYOLink system and 10% would be return to the trust fund corpus. This bill has been introduced and referred to House Appropriations where it faces an uphill battle. WAM is supporting this bill.

House Bill 49 – Municipal Non-Partisan Rank Choice Elections

Authorizes rank choice elections for non-partisan election. Municipalities can choose this method or continue to use existing election procedures. The bill died in House Corporations last week. WAM was monitoring this bill.

House Bill 50 – Solid Waste Cease and Transfer Funding

This bill creates prioritized cease and transfer projects for municipal solid waste facilities and provides funding for these projects. This bill has passed the House and will be considered by the Senate next week. WAM is supporting this bill.

House Bill 54 – Homestead Exemption

This bill exempts the first \$100,000 of assess value for Wyoming homeowners with 5 years of residency. It is estimated to reduce state revenues by \$35 million annually. We are working to determine impact on municipal property taxes. The bill has been introduced and referred to House Revenue. WAM is monitoring this bill.

House Bill 71 – Back to School Sales Tax holiday.

This bill provides for sales tax exemptions for specified back to school supplies. The exact date of the holiday will be determined in the bill. The bill failed the Committee of the Whole and is dead for this session. WAM was monitoring this bill.

House Bill 72 – Sales Tax Revisions

This bill is a significant revision to how sales are taxed in Wyoming. This bill would eliminate all existing sales tax exemptions and begin the taxation of services. It would also reduce the state sales tax from 4.0% to 2.5%. The LSO estimates that the revenue loss to the state would be \$157 million and the loss to local governments would be \$13 million. The bill was introduced and referred to House Revenue where it was tabled indefinitely. WAM is monitoring the bill.

House Bill 73 – Annexation vote requirement

This bill requires that two-thirds (2/3) written approval from all landowners owning a majority of the land in an area before annexation into a municipality. This bill would make it significantly more difficult to annex properties into a municipality. The bill has been amended to make it workable, but WAM is still opposing the bill. The bill passed 3rd reading in the House on Friday afternoon.

House Bill 95 – Working Animal Protection Act

This bill prohibits cities and towns from passing ordinances or bans that unduly restrict a person from using a working animal in lawful commerce or an animal enterprise. The section supersedes any municipal ordinance or policy that conflicts with this section but does not supersede municipal zoning ordinances or any municipal ordinance or policy relating to public health or public safety. The bill has been introduced and referred to House Agriculture. WAM is opposing this bill.

House Bill 98 – Property Tax Homeowners Exemption

This bill provides a property tax exemption for low-income homeowners who meet specified requirements. The bill has been introduced and referred to House Revenue. WAM is monitoring the bill.

House Bill 99 Property Tax Refund Program

This bill would allow certain property owners who meet specific income qualifications to apply for a partial refund of property taxes. This bill expands an existing program. LSO estimates loss of revenue to be approximately \$2 million. WAM is monitoring this bill.

House Bill 105 – Repeal Gun Free Zones and Preemption Amendments

This bill repeals specified gun free zones. Specifically, persons with a concealed carry permit would be allowed to carry firearms in any meeting of a governmental entity, any meeting of the legislature or a committee thereof, any public school, public college or university or professional athletic event; except as provided in W.S. 21-3-132. This bill has been received for introduction. This is yet another preemption bill and WAM is opposing it.

House Bill 118 – Volunteer Firefighter Pension Funding

This bill would appropriate \$9 million to the Volunteer Pension. Money to fund this pension was diverted last year to address deficiencies in Fire Fund A. WAM is supporting this bill.

House Bill 121 – Property Tax deferral Program Amendments

This bill would allow certain low-income residential property owners to defer up to ½ of their property taxes. When this occurs, the state will place a lien on the property and the repayment of the deferment occurs with interest. It is anticipated that the state would be repaid at the time of the sale of said property. The bill has been introduced and referred to House Minerals. WAM is monitoring this bill.

House Bill 132 – Wyoming Housing Trust Fund

This bill appropriates \$15 million from the General Fund to create the Wyoming Housing Trust Fund. The bill has been received for introduction. WAM is supporting this bill.

House Bill 135 – Cities and Towns – Abandoned and nuisance buildings

This bill provides tax credits for the remediation and/or removal of abandoned and nuisance building. The bill has been introduced and referred to House Corporations. WAM is supporting this bill.

HJ - 0001 – Residential Property Tax Amendment

This bill would authorize an election to amend the Wyoming Constitution to create a four classes of property for the purposes of taxation. Currently the constitution allows for three classes of property, Industrial, Minerals and others. Residential and commercial properties are in the “other” category. The bill has been introduced and referred to House Revenue. WAM is monitoring this bill.

HJ – 0002 Constitutional Amendment – Residential Property class

This is another constitutional amendment that is similar to HJ001. This bill has been introduced and referred to House Revenue.

NEWLY INTRODUCED HOUSE BILLS. The following house bills were introduced during the second week of the session.

House Bill 139 – Intimidation of Elected Officials

This bill makes it a criminal offense to intimidate elected officials. Specifically making available on the internet the personal information about elected officials and their families becomes a criminal offense. This bill has been introduced and referred to House Education. WAM is monitoring this bill.

House Bill 142 – Notice of Annexation

This bill would require that persons adjacent to areas being proposed for annexation be notified of the proposed annexation by certified mail. The bill passed House Corporations and has been placed on General File. WAM is monitoring this bill.

House Bill 151 – Property Tax Exemption - Child care facilities

This bill exempts from property taxes any government or nonprofit facility that provides day care. This bill has referred to House Education. WAM is monitoring this bill.

House Bill 158 – Bid Rejection or denial for public works contracts

This bill requires that if a bidder is deemed unqualified or a bid is not awarded to the low bidder, that the city notify in writing within 10 days the reason for determination of the city's actions. The bill has been introduced and referred to House Transportation. WAM is currently monitoring this bill. This bill was introduced last year and we were successful in killing it.

House Bill 162 – County Option Real Estate Transfer Tax

This bill would assess a 1% tax on real estate transactions in excess \$1.5 million. It is a local option and would be required to be passed by county voters before it could be implemented. The bill has been received for introduction. WAM is supporting this bill.

House Bill 164 – Legal Notice publication on websites

This bill requires that legal notices published as required in WS 18-5-319 also be published on the newspaper's website. The bill has been introduced and referred to House Corporations. WAM is monitoring this bill.

House Bill 185 – Direct Distribution

This bill provides an additional \$16 million in direct distribution funding. These funds will be allocated pursuant to Madden/Bebout Formula. The bill has been introduced and referred to House Appropriations. WAM is supporting this bill.

House Bill 191 – Pharmacy Benefits Manager Act Enhancements

This is the same bill as Senate File 36 from last year. The bill would significantly increase the cost of prescriptions to JPIC, the State of Wyoming and private insurers. WAM is opposing this bill.

Senate File 03 – Retail Liquor Licenses

This bill removes the limit on what may be charged for retail liquor licenses issued after July 1, 2023. There is no limit on what the licensing authority may charge. The annual renewal charge can be no less than \$300 nor more than \$1500. The bill died on 3rd reading in the Senate on a 14-14 tie with 3 abstentions.

Senate File 12 – Tavern and Entertainment Liquor License

This bill creates a new class of license called the Tavern and Entertainment License. This license allows entertainment (as defined by the local licensing authority) to meet the non-alcohol requirement of this license. Like the Bar and Grill and Restaurant licenses 60% of the revenue must come from food or entertainment revenue. Senate File 13 was amended in committee to include entertainment in the Bar and Grill License and this bill will not be considered. WAM was supporting this bill.

Senate File 13 – Bar and Grill License Amendments

This bill reduces the population requirement for bar and grill licenses effectively increasing the number of bar and grill licenses allowed. It removes population requirements in 2033 and allows entertainment and food to be included in the 60%. The bill has passed 2nd reading in the Senate and will be voted on 3rd reading next week. WAM is supporting the bill.

Senate File 22 – WYOLink Funding

This bill appropriates \$8.6 million from the General Fund to pay for maintenance of the WYOLink system. This bill died on 3rd reading. WAM is supporting this bill.

Senate File 70 – Back to school tax holiday

This bill is comparable to House Bill 71 and would designate a day where the purchase of school supplies would be exempt from sales tax. The bill has been introduced and referred to Senate Revenue. WAM is monitoring this bill.

Senate File 82 – Eligible Water and Sewer Projects

This bill provides \$89 million for selected water and sewer project around the state. The bill has passed Senate Agriculture and Senate Appropriations and has been placed on General File. WAM is supporting this bill.

Senate File 90 – Wyoming Property Tax Relief Authority

This bill would create the Wyoming Property Tax Relief Authority. The authority would sell bonds to help specified residential property owners. The bill has passed Senate Revenue and been placed on General File. WAM is monitoring this bill.

Senate File 104 – Property Tax Mill adjustment

This bill would require that mill levees be reduced when assessed values grows beyond certain levels. The bill has been introduced and referred to Senate Revenue. WAM is monitoring this bill.

Senate File 110 – Personal Property Tax Exemption

This bill would exempt all tangible property from taxation. The bill has been introduced and referred to Senate Revenue. WAM is monitoring this bill.

SJ 003 – Property Tax Exemption for elderly and infirm

This bill would authorize an election to change to Wyoming Constitution to provide for a property tax exemption for the elderly and infirm. The bill has passed Senate Revenue and been placed on General File. WAM is monitoring this bill.

NEWLY INTRODUCED SENATE FILES. The following Senate Files were introduced during the second week of the session.

Senate File 115 – Dental Insurance Payment for Services

This bill would unbundle certain dental procedures and would significantly increase the cost of dental care and insurance costs. The bill has been introduced and referred to Senate Corporations. WAM is opposing this bill.

Senate File 125 – Property Tax – Limiting taxable value increase

This bill would limit the amount that the taxable value of a residential property can increase to 5% percent per year. This bill has passed Senate Revenue and has been placed on General File. WAM is monitoring this bill.

If you have questions about any legislative issue, please do not hesitate to call Bob McLaurin at (307) 413-3483 or myself at (307) 414-0265.

