

HOUSE BILL NO. HB0196

Sales of real property to the federal government.

Sponsored by: Representative(s) Northrup, Banks, Bear,
Berger, Burkhart, Harshman and Henderson and
Senator(s) Driskill and Hicks

A BILL

for

1 AN ACT relating to property; providing that the policy of
2 Wyoming is to require the federal government to exchange
3 federal-owned lands if the federal government acquires
4 additional property in Wyoming; requiring notice of
5 transactions that will not include a transfer of federal-
6 owned lands; providing for disposal of certain lands
7 transferred to the state; and providing for an effective
8 date.

9

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

11

12 **Section 1.** W.S. 36-1-105 and 36-10-101 are amended to
13 read:

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1 **36-1-105. Exchange of land granted by federal**
2 **government.**

3
4 Whenever, in the judgment of a majority of the members of
5 the board, the interests of the state will be advanced by
6 granting, conveying or deeding to the United States of
7 America, any lands which have been heretofore granted,
8 selected by, and patented to the state, then, in such case
9 said board is hereby authorized and empowered to so grant,
10 convey and deed to the United States of America, such
11 lands. And the president of said board, and the director
12 are authorized and empowered to execute and deliver all
13 necessary instruments to complete such grant, or
14 conveyance; provided, always, that no such lands shall be
15 so granted, conveyed and deeded, unless the United States
16 of America shall, and will permit and allow this state to
17 select, and have patented to it, other lands in lieu of the
18 lands so reconveyed to the United States of America subject
19 to W.S. 36-1-111; provided, however, that the state shall
20 not give both surface and mineral rights with any lands
21 exchanged unless it receives the same from the federal
22 government. The land conveyed to the state by the federal
23 government under this section shall not be required to be

1 in the same area of the state as the lands that are
2 exchanged to the federal government. The board may consider
3 the acquisition of lands in other areas of the state based
4 on recommendations by boards of county commissioners.

5
6 **36-10-101. Authority to acquire state lands;**
7 **reservation of mineral rights.**

8
9 (a) The United States shall be and is authorized to
10 acquire by purchase or condemnation or otherwise, any land
11 in this state required for public buildings, custom houses,
12 arsenals, national cemeteries, or other purposes essential
13 to the national defense in necessary use of said land by
14 armed naval, air or land forces, or land to be physically
15 occupied by the Boysen Dam, its reservoir, power plant and
16 distribution systems, or lands to be physically occupied by
17 dams, reservoirs, power plants and distribution systems in
18 United States reclamation service projects, and the state
19 of Wyoming hereby consents thereto, provided that the
20 mineral content of lands so acquired, if owners thereof so
21 elect, shall be reserved to such owners.

22

1 (b) Effective July 1, 2024 and thereafter, if the
2 United States or any agency of the United States seeks to
3 acquire any land in this state that is not specified under
4 subsection (a) of this section from any person or source,
5 it is the policy of the state that the United States or the
6 agency shall transfer federal-owned lands to Wyoming so
7 that there is not a net increase in federal-owned lands in
8 Wyoming after July 1, 2024. Transfers of state-owned lands
9 to the United States or any agency of the United States
10 shall be conditioned on an exchange of federal-owned lands
11 as provided in W.S. 36-1-105. Any transfer of lands under
12 this subsection shall consider the impact of the
13 acquisition of property and the transfer of lands on
14 federal mineral royalties received by the state. The land
15 conveyed to the state by the federal government under this
16 subsection shall not be required to be in the same area of
17 the state as the lands that are acquired by the federal
18 government.

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20 (c) If the United States or any agency of the United
21 States acquires land in Wyoming under subsection (b) of
22 this section and the transaction will not include an
23 exchange of federal-owned lands of an equivalent value as

1 provided under subsection (b) of this section, the United
2 States or the agency of the United States shall provide
3 notice to the board of land commissioners not less than
4 ninety (90) days before the acquisition of the land will be
5 completed.

6
7 (d) If any transfer of federal-owned lands to the
8 state under subsection (b) of this section would result in
9 a net increase in state lands over the amount of state
10 lands on July 1, 2024, the state lands shall be disposed of
11 as provided in this subsection. This subsection shall not
12 apply to any exchange of lands as provided in W.S.
13 36-1-105. The board shall by rule provide for an
14 application process for transfer of lands to applicants for
15 the land. The application process under this subsection:

16
17 (i) Shall permit the county commissioners of the
18 county where the acquired land is located to submit a list
19 to the board of the preferred uses for the land;

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21 (ii) Shall include ranking criteria to determine
22 which applicant will be selected if there are multiple
23 applicants for the land. Preference shall be given to

1 applicants who are the owners, lessees or lawful occupants
2 of adjoining lands and who are conducting a preferred use
3 established under paragraph (i) of this subsection, unless
4 the board determines that the preference should not be
5 recognized for good cause;

6

7 (iii) May require the applicant to conduct a
8 specific preferred use on the land for a period not to
9 exceed ten (10) years before any transfer of the land to
10 the applicant.

11

12 **Section 2.** This act is effective July 1, 2024.

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14

(END)