

ENROLLED ACT NO. 29, HOUSE OF REPRESENTATIVES

SIXTY-SECOND LEGISLATURE OF THE STATE OF WYOMING
2013 GENERAL SESSION

AN ACT relating to state lands; requiring restitution for state land violations; providing that violation of a board order is a prohibited act; and providing for an effective date.

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

Section 1. W.S. 36-2-107(b)(intro), (iv), by creating new paragraphs (vi) and (vii) and by creating a new subsection (d) is amended to read:

36-2-107. Rules and regulations; general penalty for violations; enforcement.

(b) Any person who knowingly violates any provision of this subsection is guilty of a misdemeanor and shall be fined not more than seven hundred fifty dollars (\$750.00), imprisoned for not more than six (6) months, or both. In addition, any person found guilty under this section may be ordered to pay restitution to the board for actual pecuniary damage resulting from the illegal actions of the person. Restitution may be excused if a court finds that the defendant has no ability to pay. In determining the amount of restitution under this subsection, the court shall consider, and include as a special finding, the reasonably foreseeable actual pecuniary damage that has or will result from the illegal activities of the defendant. Any restitution received under this subsection shall be deposited into an account designated by the board for use to restore the rights and property of the board. The acts prohibited under this subsection are:

(iv) Building, maintaining, using or attending an open fire, campfire or charcoal grill on state land except in areas established by the board; ~~and~~

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(vi) Violating any lawful order issued by the board pursuant to W.S. 36-2-101 to protect state lands and assets from resource damage; and

(vii) Violating any lawful order issued by the board closing state lands for the purpose of protecting public health and safety.

(d) The provisions of subsection (b) of this section shall not apply to the actions of any person acting pursuant to the terms of a valid lease, authorization or permit issued by the board.

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Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk