

HOUSE BILL NO. HB0073

Annexation-vote requirement.

Sponsored by: Representative(s) Styvar, Jennings and Neiman
and Senator(s) Hutchings

A BILL

for

1 AN ACT relating to cities and towns; requiring written
2 approval from a simple majority of all landowners owning a
3 parcel of the land in an area before annexation into a
4 municipality; modifying notice requirements to landowners;
5 specifying applicability; and providing for an effective
6 date.

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

9

10 **Section 1.** W.S. 15-1-402(a)(v), (vi) and by creating
11 a new paragraph (vii) is amended to read:

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13 **15-1-402. Annexing territories; findings required;**
14 **when contiguity not deemed affected; annexation report;**
15 **landowner approval before annexation.**

1

2 (a) Before any territory is eligible for annexation,
3 the governing body of any city or town at a hearing as
4 provided in W.S. 15-1-405 shall find that:

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6 (v) If the city or town does not own or operate
7 its own electric utility, its governing body is prepared to
8 issue one (1) or more franchises as necessary to serve the
9 annexed area pursuant to W.S. 15-1-410; ~~and~~

10

11 (vi) The annexing city or town, not less than
12 twenty (20) business days ~~prior to~~ before the public
13 hearing required by W.S. 15-1-405(a), has sent by certified
14 mail to all landowners and affected public utilities within
15 the territory and by first class mail to any persons owning
16 property that is adjacent to or within five hundred fifty
17 (550) feet of the territory proposed to be annexed,
18 regardless of whether the property is inside or outside the
19 corporate limits of the annexing city or town and
20 regardless of whether the city or town is exercising
21 authority under W.S. 15-3-202(b)(ii), a summary of the
22 proposed annexation report as required under subsection (c)
23 of this section, notice of the need to respond in writing

1 if the landowner approves or opposes the proposed
2 annexation unless approval is not required under paragraph
3 (vii) of this subsection, notice of the opportunity to
4 request an estimate of required infrastructure improvements
5 costs under subsection (e) of this section and notice of
6 the time, date and location of the public hearing required
7 by W.S. 15-1-405(a); ~~and~~ and

8
9 (vii) Except as otherwise provided in this
10 paragraph, not fewer than a simple majority of the
11 landowners owning a parcel of the area sought to be
12 annexed, excluding public streets, alleys and tax exempt
13 property, have approved in writing the proposed annexation
14 by responding to the notice in paragraph (vi) of this
15 subsection. Failure to respond to the notice under
16 paragraph (vi) of this subsection shall be considered an
17 approval of the proposed annexation. This paragraph shall
18 not apply if the area sought to be annexed is entirely
19 within the corporate limits of the annexing city or town.

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21 **Section 2.** This act applies to any proposed
22 annexation initiated on or after the effective date of this
23 act.

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2 **Section 3.** This act is effective immediately upon
3 completion of all acts necessary for a bill to become law
4 as provided by Article 4, Section 8 of the Wyoming
5 Constitution.

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7

(END)