

## HOUSE BILL NO. HB0223

Underground public utility facilities-excavation.

Sponsored by: Representative(s) Gray and Senator(s) James

A BILL

for

1 AN ACT relating to the Wyoming Underground Facilities  
2 Notification Act; amending the definition of "excavation";  
3 and providing for an effective date.

4

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

6

7 **Section 1.** W.S. 37-12-301(b)(iii) is amended to read:

8

9 **37-12-301. Short title; definitions.**

10

11 (b) As used in this act:

12

13 (iii) "Excavation" or "excavates" means any  
14 operation in which earth, rock or other materials on or  
15 below the ground is moved or otherwise displaced by means  
16 of hand or power tools, power equipment or explosives or

1 other means, and includes grading, trenching, digging,  
2 ditching, drilling, augering, tunneling, boring,  
3 plowing-in, pulling-in, ripping, scraping and cable or pipe  
4 installing. ~~., except~~ "Excavation" or "excavates" shall not  
5 mean routine maintenance on existing planted landscapes,  
6 including tilling of soil and gardening or agricultural  
7 purposes ~~+~~ of a farmer or rancher occurring on a farm or  
8 ranch when the maintenance involves:

9  
10 (A) Any form of existing agricultural  
11 activity that is routine for that ranch or farm;

12  
13 (B) Land clearing if the activity does not  
14 involve deep ripping or deep root removal of trees or  
15 shrubs;

16  
17 (C) Routine maintenance of:

18  
19 (I) An existing irrigation facility if  
20 the facility has been subjected to maintenance in the  
21 previous twenty-four (24) months; or

22  
23 (II) Existing fence lines.

1

2       **Section 2.** This act is effective July 1, 2020.

3

4

(END)