

## HOUSE BILL NO. HB0270

Improvement and service districts-limitations.

Sponsored by: Representative(s) Northrup, Styvar and  
Western and Senator(s) Landen, Nethercott  
and Pappas

A BILL

for

1 AN ACT relating to improvement and service districts;  
2 providing a limitation on the imposition of fees, charges,  
3 mill levies, taxes and other assessments by improvement and  
4 service districts; providing exceptions; providing a  
5 limitation on the imposition of rules, regulations and  
6 procedures by improvement and service districts; and  
7 providing for an effective date.

8

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

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11 **Section 1.** W.S. 18-12-142 is created to read:

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13 **18-12-142. Limitation on fees, charges, mill levies,**  
14 **taxes and other assessments; exceptions.**

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1           (a) Except as otherwise provided in this section, a  
2 district shall not impose any fee, charge, mill levy, tax  
3 or other assessment, or adopt a budget that results in  
4 imposition of the same, that when aggregated would create a  
5 payment burden on landowners within the district that  
6 exceeds any limit stated in the district's original  
7 petition for formation on the maximum fee, charge, mill  
8 levy, tax or other assessment that may be imposed by the  
9 district.

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11           (b) Any limitation on the maximum fee, charge, mill  
12 levy, tax or other assessment that may be imposed by the  
13 district as stated in a district's original petition for  
14 formation:

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16           (i) Shall be calculated as a dollar amount  
17 determined at the time of the imposition for purposes of  
18 subsection (a) of this section;

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20           (ii) Shall apply to all local improvement  
21 districts created under W.S. 18-12-140;

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1           (iii) May be eliminated, reduced or increased if  
2 approved by a majority of the qualified voters of the  
3 district by mail ballot election pursuant to W.S. 22-29-116  
4 or concurrently with any other district election.

5  
6           (c) Any district taxpayer or payer of any district  
7 fee, charge or other assessment may bring suit to enjoin a  
8 violation of subsection (a) of this section, provided that  
9 the suit is filed within one hundred twenty (120) days of  
10 when the taxpayer or payer knew or reasonably should have  
11 known of the district's action in violation of subsection  
12 (a) of this section.

13  
14           (d) The prohibition in subsection (a) of this section  
15 shall not apply to an assessment imposed for the payment of  
16 any bond issued pursuant to this act.

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18           **Section 2.** W.S. 18-12-102(a)(xi) and 18-12-114(b) are  
19 amended to read:

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21           **18-12-102. Definitions.**

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23           (a) As used in this act:

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2 (xi) "This act" means W.S. 18-12-101 through

3 ~~18-12-141~~ 18-12-142;

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5 18-12-114. Compensation; officers; rules and  
6 regulations; meetings.

7

8 (b) The board shall adopt rules, regulations and  
9 procedures for the district whether or not included in its  
10 bylaws, including those to govern the use and enjoyment of  
11 public improvements, facilities and services of the  
12 district. The board shall not adopt any rule, regulation or  
13 procedure resulting in any fee, charge, mill levy, tax or  
14 other assessment in excess of any limit imposed pursuant to  
15 the authority granted through the process established in  
16 W.S. 18-12-142.

17

18 **Section 3.** This act is effective July 1, 2023.

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(END)