

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.

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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.**

15

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 casting ballots by mail ballot election pursuant
4 to W.S. 22-29-116 or concurrently with any other district
5 election.

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

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

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19 (e) The prohibition in subsection (a) of this section
20 shall not apply to fees, charges, mill levies, taxes and
21 other assessments imposed in a district that has been
22 organized without a petition or charter prior to July 1,
23 2023.

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

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5 **18-12-102. Definitions.**

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7 (a) As used in this act:

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9 (xi) "This act" means W.S. 18-12-101 through
10 ~~18-12-141~~ 18-12-142;

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12 **18-12-114. Compensation; officers; rules and**
13 **regulations; meetings.**

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

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

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(END)