

SENATE FILE NO. SF0043

EMS districts.

Sponsored by: Senator(s) Case and Representative(s) Larsen,  
L

A BILL

for

1 AN ACT relating to improvement and service districts;  
2 providing an alternative proceeding to form a district to  
3 provide emergency medical services by resolution of a board  
4 of county commissioners; specifying the appointment of the  
5 board of directors of the district; specifying taxation  
6 requirements; and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 18-3-525(a)(intro), 18-12-105,  
11 18-12-113(a), (d) and by creating a new subsection (e) and  
12 18-12-119(b) through (d) are amended to read:

13

14 **18-3-525. Dissolution of boards; procedure.**

15

1 (a) Each board of county commissioners may dissolve  
2 any board or district created under W.S. 18-10-103,  
3 18-11-101, 18-12-105 or chapter 9, article 1 of this title  
4 in accordance with the following:

5

6 **18-12-105. Commencement of districts; districts to**  
7 **provide emergency medical services.**

8

9 (a) Proceedings for the formation of a-an improvement  
10 and service district under this act, except a district to  
11 provide emergency medical services formed pursuant to  
12 subsection (b) of this section, shall be commenced by  
13 filing a petition addressed to the commissioners of the  
14 county in which the land proposed to be included in the  
15 district is situated. The petition shall be accompanied by  
16 a filing fee of two hundred dollars (\$200.00).

17

18 (b) After July 1, 2023, as an alternative to forming  
19 a district under subsection (a) of this section, a district  
20 to provide emergency medical services under W.S.  
21 18-12-112(a)(xxii) may be established by resolution of the  
22 board of county commissioners. A resolution under this  
23 subsection shall establish one (1) or more districts to

1 provide emergency medical services composed of any portion  
2 of the county. Areas may be added to or subtracted from an  
3 existing district by resolution of the board of county  
4 commissioners. Not less than sixty (60) days before any  
5 resolution pursuant to this subsection is signed, the board  
6 of county commissioners shall hold a public hearing and  
7 publish the proposed resolution, including the date and  
8 time of the public hearing, in a newspaper of general  
9 circulation in the county and on the county's website. The  
10 board of county commissioners shall submit the proposed  
11 boundaries of the district to the county assessor and the  
12 department of revenue for review for any conflict, overlap,  
13 gap or other boundary issue. The assessor and the  
14 department may make written comments thereon to the county  
15 commissioners before the public hearing. The board of  
16 county commissioners may dissolve a district established  
17 under this subsection in accordance with W.S. 18-3-525.

18

19 **18-12-113. District board of directors.**

20

21 (a) ~~The~~ Except for districts to provide emergency  
22 medical services established under W.S. 18-12-105(b) as  
23 provided in subsection (e) of this section, an improvement

1 and service district shall be managed and controlled by a  
2 board of directors consisting of three (3) or five (5)  
3 members. The initial board shall consist of three (3) or  
4 five (5) members elected at the organizational election. A  
5 simple majority of members shall serve an initial term of  
6 two (2) years and the remaining members shall serve an  
7 initial term of four (4) years after formation of the  
8 district and until their successors are elected and  
9 qualified at the regular scheduled subsequent director  
10 election as provided in W.S. 22-29-112. Thereafter,  
11 members shall be elected for terms of four (4) years. A  
12 vacancy occurring on the board during the term of an  
13 original director or his successor shall be filled as  
14 provided in the Special District Elections Act of 1994.

15

16 (d) Notwithstanding subsection (a) of this section  
17 and except as provided by subsection (e) of this section,  
18 any district may increase or decrease the membership of its  
19 board from three (3) to five (5) members if a proposition  
20 for the modification is submitted to a vote of the  
21 qualified electors of the district and a majority of those  
22 casting their ballots vote in favor of the increase or  
23 decrease. Additional offices created under this subsection

1 shall be filled as provided in W.S. 22-29-112(a). At the  
2 election, not more than one (1) member shall be elected for  
3 a term of two (2) years, and the election ballots shall so  
4 state. Each term shall otherwise be four (4) years. A  
5 vote to decrease membership shall be in the election  
6 preceding the election of three (3) members.

7

8 (e) After July 1, 2023, if a district to provide  
9 emergency medical services is established under W.S.  
10 18-12-105(b), the board of county commissioners shall  
11 appoint not less than three (3) nor more than nine (9)  
12 residents of the district to constitute the board of  
13 directors of the district. Appointees shall serve a term of  
14 three (3) years and may be reappointed. Terms of office  
15 shall be staggered.

16

17 **18-12-119. Duty of county officials to levy and**  
18 **collect taxes.**

19

20 (b) For any district established to provide emergency  
21 medical services, ~~under W.S. 18-12-112(a)(xxii)~~ at the time  
22 of making the levy for county purposes, the county shall  
23 levy a tax for that year upon the taxable property in the

1 district in its county for its proportionate share based on  
2 assessed valuation of the estimated amount of funds needed  
3 by each district providing emergency medical services, ~~but,~~  
4 ~~except~~ as provided in this subsection. ~~, in no case shall~~ If  
5 the district was formed under W.S. 18-12-105(a) and is  
6 providing emergency medical services under W.S.  
7 18-12-112(a)(xxii), the tax for the district shall not  
8 exceed in any one (1) year the amount of two (2) mills on  
9 each dollar of assessed valuation of the property. ~~Up to~~  
10 unless up to an additional two (2) mills ~~may be imposed on~~  
11 ~~each dollar of assessed valuation of the property if is~~  
12 approved by the board of directors and ~~if~~ approved by the  
13 electors as provided in subsection (c) of this section. If  
14 the district was formed under W.S. 18-12-105(b) as a  
15 district to provide emergency medical services, the tax for  
16 the district shall not exceed four (4) mills if the mills  
17 are approved by the board of directors and approved by the  
18 electors as provided in subsection (c) of this section.

19

20 (c) If the board of directors votes to ~~increase the~~  
21 ~~mill levy beyond two (2)~~ impose mills ~~as authorized by that~~  
22 require approval by the electors under subsection (b) of  
23 this section, the board of county commissioners shall call

1 an election within the district upon the question of  
2 whether the mill levy should be ~~increased beyond two (2)~~  
3 ~~mills imposed~~. The election shall be called, conducted and  
4 canvassed as provided for bond elections by the Political  
5 Subdivision Bond Election Law, W.S. 22-21-101 through  
6 22-21-112, on the first date authorized under W.S.  
7 22-21-103 which is not less than sixty (60) days after the  
8 board of directors votes to ~~increase the~~ impose any mill  
9 levy ~~beyond two (2) mills~~ that requires the approval of the  
10 electors under subsection (b) of this section. In no event  
11 shall the tax in a district providing emergency medical  
12 services exceed in any one (1) year the amount of four (4)  
13 mills on each dollar of assessed valuation of property.  
14 The ~~increase in~~ mill levy is effective only if the question  
15 is approved by a majority of those voting thereon within  
16 the district providing emergency medical services. The  
17 cost of any special election under this subsection shall be  
18 borne by the board of directors.

19

20 (d) If the proposition to authorize ~~an additional a~~  
21 mill levy is approved, the tax shall remain in effect until  
22 a petition to discontinue the tax, signed by not less than  
23 ten percent (10%) of the voters of the district, is

1 received by the board of county commissioners, at which  
2 time the proposal to discontinue the tax shall be submitted  
3 to the voters of the district at the expense of the county  
4 at the next general election. If the proposition to impose  
5 or discontinue the tax is defeated, the proposition shall  
6 not again be submitted to the electors for at least  
7 twenty-three (23) months.

8

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

10

11

(END)