

ENROLLED ACT NO. 48, SENATE

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING  
2021 GENERAL SESSION

AN ACT relating to cooperative utilities; specifying how unclaimed refunds due members of cooperative utilities shall be used if unclaimed; making conforming amendments; and providing for an effective date.

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

**Section 1.** W.S. 17-20-1301 by creating a new subsection (c) and 34-24-109 are amended to read:

**17-20-1301. Patronage capital contributions, allocations and refunds; deposits and advance payments.**

(c) Notwithstanding W.S. 34-24-109 and any other provision of law, any deposit or advance payment that has been refunded, including any interest thereon, that has not been claimed by the member appearing on the records of the cooperative for more than five (5) years and for which the cooperative has made good faith efforts to deliver to the member shall be determined to be unclaimed. Notwithstanding any other provision of law, including provisions pertaining to unclaimed property, unclaimed refunds for deposits or advance payments shall be used by the cooperative utility for the benefit of the general membership of the cooperative. The right of an owner to unclaimed refunds for deposits or advance payments held by a cooperative utility is extinguished when the unclaimed refunds are used by the cooperative utility for the benefit of its general membership in accordance with this subsection. Nothing in this subsection precludes a cooperative utility from refunding subsequently claimed funds at the cooperative utility's discretion.

**34-24-109. Deposits held by utilities.**

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(a) Subject to subsection (b) of this section, a deposit, including any interest thereon, made by a subscriber with a utility to secure payment or any sum paid in advance for utility services to be furnished, less any lawful deductions, that remains unclaimed by the owner for more than one (1) year after termination of the services for which the deposit or advance payment was made is deemed abandoned.

(b) The provisions of this act shall not apply to deposits or advance payments made to a cooperative utility subject to the provisions of the Wyoming Cooperative Utilities Act.

**Section 2.** For any deposit or advance payment collected by a cooperative utility as defined by W.S. 17-20-140(a)(i) that is due as a refund to a member of the cooperative utility and that has been held as abandoned or unclaimed property before the effective date of this act, the deposit or advance payment shall remain as unclaimed property and shall not be used in accordance with W.S. 17-20-1301(c), as created by section 1 of this act, for not less than two (2) years after the effective date of this act.

ORIGINAL SENATE  
FILE NO. SF0102

ENGROSSED

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**Section 3.** This act is effective July 1, 2021.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk