

HOUSE BILL NO. HB0016

Improvement and service districts-limitations.

Sponsored by: Joint Corporations, Elections & Political
Subdivisions Interim Committee

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.**

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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. A fee, charge, mill levy, tax or other
10 assessment that results in a payment obligation of a
11 landowner shall be calculated as a dollar amount and added
12 with all fees, charges, mill levies, taxes and other
13 assessments, however designated, to determine the total
14 payment burden of the landowner.

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16 (b) Any limitation on the maximum fee, charge, mill
17 levy, tax or other assessment that may be imposed by the
18 district stated in a district's original petition for
19 formation:

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21 (i) Shall be calculated as a dollar amount
22 determined at the time of the imposition for purposes of
23 subsection (a) of this section;

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

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

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10 (c) Any district taxpayer or payer of any district
11 fee, charge or other assessment may bring suit to enjoin a
12 violation of subsection (a) of this section, provided that
13 the suit is filed within one hundred twenty (120) days of
14 the taxpayer's or payer's receipt of actual or constructive
15 notice of the district's action in violation of subsection
16 (a) of this section.

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

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

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2 **18-12-102. Definitions.**

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4 (a) As used in this act:

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6 (xi) "This act" means W.S. 18-12-101 through
7 ~~18-12-141~~ 18-12-142;

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9 **18-12-114. Compensation; officers; rules and**
10 **regulations; meetings.**

11

12 (b) The board shall adopt rules, regulations and
13 procedures for the district whether or not included in its
14 bylaws, including those to govern the use and enjoyment of
15 public improvements, facilities and services of the
16 district. The board shall not adopt any rule, regulation or
17 procedure in excess of the district's petition for
18 formation or grant of authority to the district, including
19 authority granted through the process established in W.S.
20 18-12-141.

21

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

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(END)