

ENROLLED ACT NO. 82, HOUSE OF REPRESENTATIVES

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING  
2023 GENERAL SESSION

AN ACT relating to state lands; providing for lessees of state lands to graze livestock they do not own, but for which they retain management responsibility, on leased lands without obtaining permission from the director of the office of state lands and investments; and providing for an effective date.

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

**Section 1.** W.S. 36-5-105(d) is amended to read:

**36-5-105. Criteria for leasing; preferences; assignments, subleases or contracts; lands taken for war purposes; mineral lands excepted; agricultural lands.**

(d) If the lessee of state lands shall assign, sublease or contract all or any part of the lease area, the lease shall be subject to cancellation unless ~~such assignment or sublease or contract is approved by the director,~~ approves the assignment, sublease or contract subject to criteria established by the board of land commissioners; ~~however, provided that:~~

(i) no such Approval shall not be arbitrarily or unreasonably withheld; ~~and~~

(ii) All action upon each application ~~therefor,~~ shall ~~be such as will~~ inure to the greatest benefit ~~to the~~ of state land trust beneficiaries; ~~provided, that~~

(iii) In no event shall the lands be subleased unless one-half (1/2) of the excess rental is paid to the state; ~~or~~

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(iv) A lessee of state lands whose lease authorizes grazing on the state lands shall not be required to obtain the approval of the director to allow livestock the lessee does not own to graze on the state lands provided that:

(A) The ratio of owned to non-owned livestock grazed by the lessee does not exceed one to one (1:1) for more than two (2) years in any ten (10) year period;

(B) The lessee provides documentation on the lessee's grazing of non-owned livestock to the office of state lands and investments; and

(C) The lessee retains full management responsibility of the livestock that grazes on the state lands.

(v) Use of state lands as provided by paragraph (iv) of this subsection shall not be considered a sublease;

(vi) For purposes of paragraph (iv) of this subsection, "full management responsibility" includes all duties, obligations and liabilities as if the livestock were owned by the lessee.

ORIGINAL HOUSE  
BILL NO. HB0017

ENGROSSED

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SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING  
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**Section 2.** This act is effective July 1, 2023.

(END)

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

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

\_\_\_\_\_  
Governor

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

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

I hereby certify that this act originated in the House.

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