

## HOUSE BILL NO. HB0183

Prohibiting foreign property ownership in Wyoming.

Sponsored by: Representative(s) Allemand, Allred, Angelos, Banks, Bear, Berger, Conrad, Eklund, Haroldson, Harshman, Heiner, Jennings, Knapp, Locke, Neiman, Northrup, O'Hearn, Ottman, Pendergraft, Penn, Slagle, Smith, Strock, Styvar, Tarver, Trujillo, Ward, Washut and Winter and Senator(s) Bouchard, French, Hutchings, Ide, Laursen, D, McKeown and Salazar

A BILL

for

1 AN ACT relating to property; restricting foreign ownership  
 2 of land and other interests in Wyoming as specified;  
 3 providing definitions; requiring foreign owners to divest  
 4 of land; requiring registration as specified; authorizing  
 5 enforcement of ownership restrictions as specified;  
 6 providing a civil penalty; requiring the inclusion of  
 7 notices of foreign ownership in assessment schedules and  
 8 tax statements; specifying applicability; requiring  
 9 rulemaking; and providing for an effective date.

10

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

12

1           **Section 1.** W.S. 34-15-104 is created to read:

2

3           **34-15-104. Restriction on foreign ownership of land;**  
4 **registration; penalty; enforcement.**

5

6           (a) As used in this section:

7

8                   (i) "Foreign business" means a corporation  
9 incorporated under the laws of a foreign government or a  
10 business entity, whether or not incorporated, in which a  
11 majority interest is owned or controlled directly or  
12 indirectly by foreign persons or by a foreign government.  
13 Legal entities engaged in other business arrangements,  
14 including trusts, holding companies, multiple corporations  
15 or other entities shall not affect the determination of  
16 ownership or control of a foreign business;

17

18                   (ii) "Foreign government" means a government of:

19

20                               (A) Russia;

21

22                               (B) China;

23

1                   (C) Any country that has been designated as  
2 a state sponsor of terrorism under federal law;

3

4                   (D) Any country subject to international  
5 traffic in arms regulations that is identified or named in  
6 22 C.F.R. § 126.1(d).

7

8                   (iii) "Foreign person" means a person who is a  
9 nonresident alien and who is a citizen of:

10

11                   (A) Russia;

12

13                   (B) China;

14

15                   (C) A country that has been designated as a  
16 state sponsor of terrorism under federal law;

17

18                   (D) A country subject to international  
19 traffic in arms regulations that is identified or named in  
20 22 C.F.R. § 126.1(d).

21

1           (iv) "Land" means any interest in real property  
2 or real estate and any surface, subsurface, airspace or  
3 mineral interest in Wyoming.

4

5           (b) No foreign government, foreign business or  
6 foreign person, or any agent, trustee or fiduciary thereof,  
7 shall purchase or otherwise acquire any interest in land in  
8 Wyoming except for a personal residence for personal use  
9 that is on not more than one (1) acre.

10

11           (c) A foreign government, foreign business or foreign  
12 person, or any agent, trustee or fiduciary thereof, that  
13 owns or holds any interest in land in Wyoming on July 1,  
14 2024 shall divest their right, title and interest in the  
15 land not later than two (2) years after July 1, 2024,  
16 unless the holding or ownership is for a personal residence  
17 for personal use that is on not more than one (1) acre.

18

19           (d) A foreign business, foreign government or foreign  
20 person, or any agent, trustee or fiduciary thereof, that  
21 owns any interest in land in Wyoming on or after July 1,  
22 2024, including a personal residence for personal use that  
23 is on not more than one (1) acre, shall register the

1 ownership with the secretary of state in accordance with  
2 the following:

3

4 (i) The registration shall be in a form and  
5 manner prescribed by the secretary of state;

6

7 (ii) The registration shall contain the name of  
8 the owner, the location of the land, the number of acres of  
9 the land or the nature of the interest in the land and, if  
10 the owner is an agent, trustee or fiduciary of a foreign  
11 business, foreign government or foreign person, the name of  
12 any principal;

13

14 (iii) The initial registration shall be made not  
15 later than sixty (60) days after July 1, 2024 or within  
16 sixty (60) days of acquisition of the interest in land,  
17 whichever is later;

18

19 (iv) The registration shall be updated annually  
20 on or before March 31 of each year.

21

22 (e) A foreign business, foreign government or foreign  
23 person, or any agent, trustee or fiduciary thereof, who

1 fails to register, timely register or update registration  
2 annually as required by subsection (d) of this section  
3 shall be liable for a civil penalty of five thousand  
4 dollars (\$5,000.00) for each day that the foreign business,  
5 foreign government or foreign person, or any agent, trustee  
6 or fiduciary thereof, is not in compliance with subsection  
7 (d) of this section.

8

9 (f) Each county clerk shall report to the secretary  
10 of state if a foreign entity, foreign government or foreign  
11 person, or any agent, trustee or fiduciary thereof,  
12 purchases or acquires any interest in land in the county in  
13 violation of this section or if the clerk suspects that any  
14 interest in land was purchased or acquired in the county in  
15 violation of this section.

16

17 (g) The secretary of state shall report any violation  
18 of this section to the attorney general if the secretary of  
19 state finds that a foreign business, foreign government or  
20 foreign person, or any agent, trustee or fiduciary thereof,  
21 has acquired or holds title to or any interest in land in  
22 Wyoming in violation of this section or has failed to

1 register or update registration as required by subsection  
2 (d) of this section.

3

4 (h) The attorney general may take any action  
5 necessary to enforce the provisions of this section,  
6 including initiating an action in the district court of any  
7 county in which the interest in land is located for a court  
8 order forfeiting the interest in land to the state. If the  
9 court orders the interest in land to be forfeited to the  
10 state, the state shall advertise and sell the interest in  
11 land at auction within six (6) months of the issuance of  
12 the court order and all proceeds from the sale shall be  
13 credited to the general fund.

14

15 **Section 2.** W.S. 39-13-103(b)(viii) and  
16 39-13-107(b)(i)(C) are amended to read:

17

18 **39-13-103. Imposition.**

19

20 (b) Basis of tax. The following shall apply:

21

22 (viii) Every assessment schedule sent to a  
23 taxpayer shall contain the property's estimated fair market

1 value for the current and previous year, or, productive  
2 value in the case of agricultural property. The schedule  
3 shall also contain the assessment ratio as provided by  
4 paragraph (b)(iii) of this section for the taxable  
5 property, the amount of taxes assessed on the taxable  
6 property from the previous year, and an estimate of the  
7 taxes which will be due and payable for the current year  
8 based on the previous year's mill levies. The schedule  
9 shall also contain information stating that foreign  
10 ownership of land in Wyoming is prohibited as provided by  
11 W.S. 34-15-104 and describing the requirement to register  
12 foreign ownership of any interest in land, including a  
13 personal residence for personal use that is on not more  
14 than one (1) acre, with the secretary of state as provided  
15 by W.S. 34-15-104. The schedule shall contain a statement  
16 of the process to contest assessments as prescribed by W.S.  
17 39-13-109(b)(i);

18

19 **39-13-107. Compliance; collection procedures.**

20

21 (b) The following provisions shall apply to the  
22 payment of taxes, distraint of property and deferral:

23



1           (i) The following shall apply to the payment of  
2 taxes due:

3  
4           (C) Annually, on or before October 10 the  
5 county treasurer shall send a written statement to each  
6 taxpayer by mail at his last known address or, if offered  
7 by the county and upon request of the taxpayer, by  
8 electronic transmission of the total tax due, itemized as  
9 to property description, assessed value and mill levies.  
10 The notice shall contain information, including contact  
11 information, of any property tax relief program authorized  
12 by state law. The notice shall contain information stating  
13 that foreign ownership of land in Wyoming is prohibited as  
14 provided by W.S. 34-15-104 and describing the requirement  
15 to register foreign ownership of any interest in land,  
16 including a personal residence for personal use that is on  
17 not more than one (1) acre, with the secretary of state as  
18 provided by W.S. 34-15-104. Failure to send notice, or to  
19 demand payment of taxes, does not invalidate any taxes due;

20

21           **Section 3.** Except as provided in W.S. 34-15-104(b),  
22 (c) and (h), as created by section 1 of this act, nothing  
23 in this act shall be construed to divest, extinguish or

1 sever any interest in or claim to real property or real  
2 estate, surface, subsurface, airspace or mineral interests  
3 in Wyoming.

4

5       **Section 4.** The secretary of state shall promulgate  
6 all rules necessary to implement the provisions of this  
7 act.

8

9       **Section 5.** This act is effective immediately upon  
10 completion of all acts necessary for a bill to become law  
11 as provided by Article 4, Section 8 of the Wyoming  
12 Constitution.

13

14

(END)