

SENATE FILE NO. SF0088

Ownership of fossils and artifacts.

Sponsored by: Senator(s) Kost, Boner, Driskill and Hicks
and Representative(s) Barlow, Flitner and
Sommers

A BILL

for

1 AN ACT relating to property and conveyances; specifying
2 ownership of fossils, artifacts and non-fossilized animal
3 remains discovered in split estates; and providing for an
4 effective date.

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

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8 **Section 1.** W.S. 34-1-154 is created to read:

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10 **34-1-154. Ownership of fossils and artifacts.**

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12 (a) The ownership of any fossil, artifact or non-
13 fossilized animal remains discovered in the strata below
14 the surface lands and waters of the state is vested in the

1 owner of the surface estate, unless otherwise conveyed by a
2 clear and express grant or governed by W.S. 7-4-106.

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4 (b) When used in any instrument, unless the clear and
5 express terms or the context of the instrument provide
6 otherwise, the term "minerals" does not include fossils,
7 artifacts or non-fossilized animal remains.

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9 (c) As used in this section:

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11 (i) "Fossil" means any fossilized remains,
12 traces or imprints of organisms, preserved in or on the
13 earth's crust, that are of paleontological interest and
14 that provide information about the history of life on
15 earth, but does not include oil, gas or other hydrocarbons;

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17 (ii) "Artifact" means any material remains of
18 past human life or human activities that are of
19 archaeological interest.

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21 **Section 2.** This act shall apply to any existing or
22 future transfer of ownership of the strata below the
23 surface lands and waters of the state.

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

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(END)