

Summary of bills of interest in the 2021 Wyoming Legislature as of March 22, 2021

Bill status is provided in blue italic text. Dead bill titles are in red text. Asterisk indicates bill is dead unless heard in Committee of the Whole in house of origin Monday.

THE BUDGET

HB1 and SF1 – Mirror bills that rewrite the 2020 biennial budget bill to reflect a precipitous drop in state revenues. The House and Senate versions (both highly amended) cross over to the other chambers for review, the formal vote to not accepting each other's versions and then a conference committee to find a compromise version.

The fiscal profile of the state has improved since the original bills were written, so many of the extensive 2nd and 3rd reading amendments restored program cuts. (Example: HB1, 2nd reading amendment #35.) Many amendments had roll-call votes. Find amendments and votes in the Digests for HB1 and SF1.

HB171 Executive branch funding restoration – Rep. Steve Harshman
145 day account) to the state auditor and make it available to the governor to restore cuts to the departments of Health, Family Services and Corrections to sustain social services programs. This is co-sponsored by House Majority Floor Leader Albert Sommers and Sens. Bill Landen and Jeff Wasserburger. This triples the emergency funding set by Joint Appropriations. *Ready for 3rd reading in House. (No amendments so far.)*

GOVERNMENT

HB158 Local land use planning and zoning – Rep. Steve Harshman, R-Casper
This would give primacy to enacted zoning regulations – over land use plans -- as local governments make decisions. If plans and regulations conflict, the regulations win. Sponsors include several House and Senate committee chairmen. *Ready for 2nd reading in House.*

*HB36 Management Council Membership * – Rep. Dan Laursen (R-Powell)
Would tie political diversity requirements to the percentage of a minority party in the Legislature (30 percent), and the at-large Senate members would be selected by a vote of all senators. The two at-large House members would still be selected by caucuses of the two major political parties. (Note that the current minority representation is 9 of 90.) *On General File.*

SF147 Management Council authority and legislative committees – Sen. Larry Hicks, R-Baggs
Standing committees would pick their own interim studies, although the Management Council could limit the number and assign studies of their own, and committees would need permission to expand meeting days. *Passed Senate 30-0 and sent to House.*

HB56 Public Health Orders – Rep. Dan Laursen, R-Powell

Public health officials may issue orders that limits gatherings or close public facilities, but only for 15 days, unless the Legislature or other governing body votes to extend the orders by another 15 days. Also, quarantines are permitted only for people who actually are infected, which excludes suspected infection because of contact tracing. *Missed committee cutoff in House Corporations.*

HB98 Public Health Orders-reforms – Rep Chuck Gray, R-Casper

Another proposed restriction on public health authority, requiring approval by the Legislature and governor to extend state or local health orders beyond 10 days. *Missed committee cutoff in House Corporations.*

HB113 Public health orders-limitations – Rep. Steve Harshman, R-Casper

Creates a new section of law to set requirements for a “public health order,” including a declared health emergency, limit of 30 days and ratification of local elected officials. Quarantines may be ordered for persons “reasonably believed to be or known to be infected with a contagious disease.” *Missed committee cutoff in House Corporations.*

SF80 Public health orders-local and legislative oversight – Sen. Troy McKeown, R-Gillette
Would submit emergency health orders to a 48-hour public comment period and allow a county to opt out. Would limit state orders to 30 days without legislative permission. District, county or municipal orders would be limited to 15 days and would require. *Senate approved 21-9, sent to House.*

SF30 Pandemic response review task force – Joint Corporations.

Would establish a task force of legislators, educators and reps from the Health Department and the business community to evaluate Wyoming’s ability to handle pandemics – focusing on health orders (who can issue, do they work, etc.). This is the alternative to other bills to submit health orders to public comment and legislative (political) approval. *In House Labor.*

HB109 Local health officers-educational requirements – Rep. Hans Hunt, R-Newcastle

In another move by legislators to regulate health officials, this bill would require health officers appointed by local health departments to be medical doctors or nurse practitioners. The bill further says the officers “shall assist the state department of health in carrying out the provisions of all health and sanitary laws and regulations of the state.” *House passed 60-0, in Senate Labor.*

*HB127 Public Health Amendments * – Speaker Eric Barlow, R-Gillette

The limits proposed in this bill would require governing officials (county, municipal, health district, governor) to approve preventive, restrictive orders by health officials beyond 10 days. The governor would appoint (and could dismiss) the state health officer. Co-sponsored by an impressive list of House and Senate leadership. House Corporations decided to hold on to the other like-minded bills and send this one out to the floor. *On House General File.*

HB59 Public Health Emergencies – Joint Travel

Would grant immunity from civil liability for anyone who – by a legal activity -- causes anyone else to be exposed to or to contract a disease defined as a “public health emergency.” A proposed committee amendment would exclude act of gross negligence or wanton misconduct from immunity. *On House General File.*

HB114 Property tax assessment – Rep. Steve Harshman, R-Casper

Would make the office of county assessor appointed, instead of elected, with a requirement of being a certified real estate appraiser. ALSO would limit the annual increase in taxable value of

the category “all other property” to a maximum 50 percent, absent property improvements. *Missed committee deadline in House Revenue.*

SF16 Net Metering – Joint Corporations

Would overhaul Wyoming’s laws for rooftop solar and backyard wind by repealing the current statutes for net-metering, which involves payback for customer-generated energy. SF16 would eliminate the guarantee that customers could hook up their solar system to the grid and receive “credit” for the power they generate. It also tells the Public Service Commission to establish an “appropriate system” to regulate rates, terms and conditions of customer-generators by electric utilities. *In House Corporations.*

SF19 Public health emergencies-immunity amendments – Joint Judiciary

Would extend civil liability immunity to persons or entities who were complying with health orders, during a declared public health emergency. This immunity is much more narrowly drawn than the “free pass” proposed in the House bill by Rep. Laursen. *Senate passed 23-7. In House Judiciary.*

HB7 Air ambulance membership organizations-regulations – Joint Minerals

Defines and regulates groups that sell “memberships” to people and businesses and counties to provide a cut-rate for air ambulance services. Emphasis on consumer information that this is NOT insurance, and you are stuck with a huge bill if the ambulance service you get isn’t the one you have a membership with. Already heavily amended. Senate Corporations added a requirement that companies prove solvency to Department of Insurance. *Approved by Senate Corporations, on General File.*

SF65 Government waste, fraud and abuse – Sen. Tom James, R-Rock Springs

Would set up what the sponsors say would be a reporting system within the Department of Audit for governmental waste, fraud and abuse. Provides for penalties to government employees. Fiscal impact: indeterminate extra duty with administrative costs. *Failed in Senate Appropriations 1-4.*

SF67 Repeal gun free zones and preemption amendments – Sen. Ogden Driskill

Would repeal gun free zones, provide for carrying concealed weapons and “clarify” that only the state Legislature may regulate firearms. Senate rejected an amendment to let school boards permit guns or not. *Senate approved 25-4, sent to House.*

SF81 Second Amendment Preservation Act – Sen. Anthony Bouchard, R-Cheyenne

Would invalidate federal restrictions on gun ownership, citing the 10th Amendment. amended extensively, and supporters withdrew. Floor debate should be fraught. *On Senate General File..*

SF95 Election of state health officer – Sen. Anthony Bouchard, R-Cheyenne

Would provide for election and recall of the state health officer, who now is an employee of the Wyoming Department of Health, starting in 2022. *Senate Corporations rejected 1-4.*

HB126 Public building art mandate-repeal – Rep. Marshall Burt, L-Green River

Would repeal requirements that public buildings include public art. LSO reports no fiscal or personnel impact. *Missed committee deadline in House Appropriations.*

HB134 Human heartbeat protection act – Rep. Chuck Gray, R-Casper
 Would prohibit abortions after the embryo or fetus has a detectable heartbeat. *On House General File.*

EDUCATION

HB61 School Finance Recalibration – Select Recalibration Committee

Replaced by HB173 substitute.

HB173 School Finance Funding-2 –Substitute 1 House Education Committee

This 65-page bill sets out formula to continue a funding guarantee for Wyoming’s 48 school districts. The model costs out several “components,” of what schools will spend on education, but it creates a block grant with a lot of local flexibility. Cuts started out at \$100 million/year, and then this substitute bill came to the floor at a \$66 million cut. The bill, as it goes to the Senate, phases in cuts over three years of \$9.8 million, then \$20 million and then \$30.1 million. It also takes money from the Legislative Stabilization Reserve Account to balance the education budget but then authorizes a 1 percent sales tax for education if the LSRA falls below \$650 million. Critics want bigger cuts to represent education “skin” (pound of flesh?). Find the substitute bill as an amendment to HB173. *Third reading in House.*

SF130 Charter schools – Sen. Ogden Driskill, R-Sundance

This would let people who want to open a state-funded charter school go to the State Loan and Investment Board for approval, if they have been unsuccessful getting approval from the local school board. The Superintendent of Public Instruction, Jillian Balow, says her department has the resources to help schools get chartered and advise in subsequent years. Could be conflict of interest for the agency that accredits? No one checked with the districts that rejected the charter applications. *In House.*

SF143 School finance-funding model amendments – Sen. Charles Scott, R-Casper

Sen. Scott and four other legislators have written their own school funding cuts, based on their inherent wisdom and judgment (no consultants). Among their ideas: fund not-quite-all of transportation and special education, enforce district consolidation on a county basis and remove benefits for groundskeepers. Will collide head-on with the House school funding version, HB173. *Senate 3rd reading.*

HB81 School finance litigation – Rep. Mark Baker, R-Green River

Would prohibit school districts from using state funding to support litigation to challenge school funding actions by the Legislature. *Missed committee cutoff in House Education.*

HB89 School finance amendments – Rep. Tim Hallinan, R-Gillette

Six new legislators join four veterans – none of them on the House or Senate Education committees -- to cut education expenses by about \$45 million a year by editing down several parts of the formula used to compute district guarantees. Even though they name categories of cuts, the funding still comes as a block grant, so it cuts the bottom line. *Missed committee cutoff in House Education.*

HB154 School finance-school district reserves – Rep. Albert Sommers, R-Pinedale
 Would raise the amount of reserves districts would keep in the next fiscal year to 25 percent. Prohibits using the reserves on capital expenditures. District have been asking for this flexibility as they slash budgets and want to manage COVID relief funds. This provision also is in HB173.
On House General File.

HB164 Grand Teton National Park-transfer of state lands – Rep. Andy Schwartz, D-Jackson
 The crown jewel of Wyoming’s school trust lands would be sold – for cash, exchange or mineral rights -- to the federal government (sum unspecified). It is the Kelly Parcel on Gros Ventre Road, inside Grand Teton National Park. An appraisal 10 years ago was about \$50 million. Money would be deposited in the schools’ permanent land fund, to generate interest and dividends for schools’ spending. Currently is burdened with a House amendment that would set a minimum price of \$320 million, which is unlikely for the National Park Service. *Third reading in House.*

HB77 School District Reorganization – Rep. Dan Zwonitzer

Would set up a planning committee (to include representatives from all 48 school boards) to recommend a plan to create 24 total consolidated districts. This group will report to the Joint Corporations (or another standing committee) and State Board of Education by Sept. 1, 2022. The bill clarifies the new districts may cross county lines, and some counties may have to share a district, board and superintendent. *House Education rejected 4-5.*

HB106 Wyoming education options act – Rep. Sue Wilson, R-Cheyenne

As the Legislature figures how to afford its constitutional duty to fund public education, here comes a bill to reimburse costs for people who education children outside public schools. Opposed by home schooling families. *House Education rejected 2-7.*

SF83 Gillette college community college district – Sen. Jeff Wasserburger, R-Gillette
 The Wyoming Community College Commission has approved an application by the Campbell County Commission to create a college district. With this bill, the Legislature would approve the formation and put it on the ballot for approval of the district and at least 4 mills property tax. The bill was amended to better define the transition of programs and students from Northern Wyoming to Gillette College. *In House Education.*

ELECTIONS

HB163 Federal congressional elections-residency – Rep. Joe MacGuire, R-Casper
 Would prevent candidates for U.S. House or Senate from Wyoming to claim residence in any other state. Closes a loophole that allows candidates to live anywhere. *House approved 58-2, in Senate Corporations.*

HB12 Bond elections - Rep. Clarence Styvar, R-Cheyenne
 Would require bond elections be held during General Elections and not Primaries. *Missed Committee cutoff in House Corporations.*

HB75 Voter ID – Rep. Chuck Gray (plus 40 other reps and 15 senators)
 Once again attacking a problem that doesn’t exist, this bill would require presentation of a state-issued or tribal ID at the polls. Apparently great fear grips the House and Senate to attract

this number of co-sponsors. LWV opposes, as a barrier to voting, however big or small, with no gain to integrity of elections. Notice that the bill catch title has changed to reflect the true intent (used to reference voter fraud, of which there is none). *In Senate Corporations.*

SF145 Election runoffs – Sen. Bo Biteman, R-Sheridan

For primaries for statewide offices and Legislature, a runoff would be held if none of the nominee candidates got a majority. To allow time for this extra election, the primary would be moved up to the first Monday in May. Committee wants to amend with \$1.5 million fiscal note to pay for the extra election. Senate resisted an amendment to remove legislators from the runoff provision, to make things easier for county clerks. *Second reading in Senate.* .

HB187 Elected official residency requirement – Rep. Hans Hunt, R-Newcastle

Would require county elected officials to live in that county. *Second reading in House.*

SF138 School board trustees-party affiliation – Sen. Affie Ellis, R-Cheyenne

Would let trustee candidates list their political party affiliation on the ballot. Trustee is a nonpartisan office. Sponsor Ellis says she wants to help people know how to vote when they haven't done their homework. Really? *On Senate General File.*

TAXATION AND REVENUE

SF119 Investment of state permanent funds – Joint Appropriations

Staying within the risk profile of a reference portfolio, this would allow the state to invest permanent funds 70 percent in global equities and 30 percent in domestic fixed income investments. Considered a “more modern view” of portfolio theory. Benchmarks would be set by the State Loan and Investment Board (top 5 elected). *On House General File.*

HB11 Oil and Gas production tax exemption – Joint Minerals

Would cut in half (from 6 percent to 3 percent) the severance tax rate on crude oil and gas by Wyoming statute when the average price of West Texas Intermediate oil gets as low as \$45/barrel. The exemption applies to wells drilled after Jan 1, 2021, and to renewed production from wells that were shut in before July 1, 2020. The fiscal note predicts a \$13.5 million loss to the state in fiscal 2021. *Missed committee cutoff in House Minerals.*

HB26 Fuel Tax – Joint Revenue

Would increase the gasoline tax from 24 cents a gallon to 33 cents per gallon.

The Department of Revenue predicts this would raise about \$60.3 million a year: \$40.2 million for the Highway Fund, \$14.1 million for county road funds, \$5.9 million for cities and towns and \$1.1 million for state parks. Extensive Transportation Committee amendment for timing, amount and distribution of revenue. *On House General File.*

*HB55 Tobacco Tax *– Joint Revenue

Would increase the tax on a pack of cigarettes from 60 cents to 84 cents. It would increase the tax on an ounce of moist snuff from 60 cents to 72 cents. Expected annual revenue in fiscal 2023 and following years would be \$6.1 million to the General Fund and \$920,000 to local governments. *On House General File.*

SF73 Tolling authority for I-80 – Sen. Cale Case, R-Lander

Would create a highway tolling program “to finance, construct, operate and maintain Interstate 80 and accommodate the needs of the traveling public through safe, efficient, convenient and modern vehicular traffic.” The bill would authorize the Wyoming Transportation Commission to create and supervise a tolling program in the Department of Transportation (include setting rates). Development of a master plan would cost an estimated \$1 million to \$1.25 million, according to the fiscal note. Amended, so please refer to engrossed version. *Senate passed 16-13 (reconsideration failed) and sent to House.*

*HB99 Property tax increase limit-2 * – Rep. Chuck Gray, R-Casper

Would impose an artificial limit on the change in property “market value” computed for tax purposes to a maximum 3 percent increase per year. Amendment by House Revenue would raise that to 20 percent. Fiscal note says local government and the School Foundation Account would take a hit, but it’s impossible to predict. *On General File.*

HEALTH

*HB162 Medical treatment opportunity act *– Rep. John Romero-Martinez, R-Cheyenne

This bill has been amended in committee (if the full House accepts it) to strip it down to a simple expansion of Medicaid to include some 24,000 low-wage, uninsured adults in Wyoming. It now looks pretty much like the Senate version, SF154. *Amended and passed by House Revenue and now faces a deadline in House General File.*

*SF154 Medicaid Expansion * – Sen. Chris Rothfuss, D-Laramie

The bill would expand eligibility to Medicaid without the conditions created by HB162, but it does include requirements of at least the current level of federal matching funds (FMAP). *On Senate General File.*

SF52 Insurance-mental health and substance use parity – Joint Labor

Would ensure equal treatment by health insurance plans for mental health and substance abuse claims as for other health coverage. *On House General File.*

HB83 Health care cost control – Rep. Clark Stith, R-Rock Springs

Would prohibit health care providers from charging different amounts to insured and uninsured (doesn’t mention under-insured) people in Wyoming. The bill implies providers are charging insured patients more, although sometimes big insurers can negotiate rates down.

Missed committee cutoff in House Labor.

HB87 Provider recruitment grant program-repeal – Joint Appropriations

Would defund a program in the Office of Rural Health, in the Wyoming Department of Health, to recruit physicians and other health care professionals, saving \$122,000 a year. *In Senate Appropriations.*

HB217 Community health center and rural health clinic grants – Rep. Sue Wilson, R-Cheyenne

Would add equipment and eliminate the sunset date on a Department of Health program to accept grants for health centers and rural clinics. *Third reading in House.*

CRIMINAL JUSTICE AND COURTS

SF150 Death penalty-repeal – Sen. Brian Boner, R-Douglas

Would repeal the death penalty and designate imprisonment-without-parole as the ultimate sentence for 1st degree murder. *Senate rejected 11-19 in Committee of the Whole.*

HB46 Crime of Bestiality – Clark Stith, R-Rock Springs

Would create the misdemeanor of bestiality, defined as a sexual act with an animal, which also would include promoting or recording such an act. It exempts normal, ordinary and accepted practices of animal husbandry, artificial insemination or veterinary medicine. *On Senate General File.*

HB103 Journalists-privileged communication – Rep. Dan Zwonitzer, R-Cheyenne

Would make Wyoming the 40th state with a so-called “shield law” to provide privilege for journalists who refuse to disclose sources of information in a news-gathering capacity, protecting them from being held in contempt by a court or grand jury. Amended with definitions and exceptions (read them in the bill digest.) *Senate Judiciary rejected 2-3.*

CONSTITUTIONAL AMENDMENTS

SJ2 Convention of states-2 – Sen. Bo Biteman, R-Sheridan

Asks Congress to call an Article V convention of states to amend the U.S. Constitution. *Senate rejected 14-16.*

SJ4 School capital Construction-constitutional amendment – Sen. Charles Scott, R-Casper
Would amend the Wyoming Constitution to move responsibility for scoring and funding school facilities from the state to school districts. Sponsors contend local voters will know better how, where and when to build schools, and it will keep districts from gaming the system. Replaces state politics with local politics. *Senate approved, send to House.*

HJ3 State lands mineral royalties – Rep. Tim Hallinan, R-Gillette

Would amend the Wyoming Constitution to let the Legislature take 2/3 of the mineral income from school trust lands and put it in a spending account for six years. Amended in the House to set up a system after those six years where all school trust income goes into the common school land fund, as Utah does, with goal of growing the permanent part of that fund quickly. *Senate Revenue removed Utah plan, now on Senate General File.*

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