

SENATE
WYOMING STATE LEGISLATURE

Message No. 418

CONCURRENCE REQUESTED

Mr. Speaker:

February 28, 2025

H.B. No. 0192 Public utilities-wildfire mitigation and
 liability limits.

The House Bill listed above passed on third reading in an amended form as follows by the vote indicated.

HB0192SS001/ADOPTED (TO ENGROSSED COPY)

Page 7-line 3 After "firefighters" insert ", counties".

Page 7-after line 4 Insert:

"(b) Not later than five (5) business days after a fire mitigation plan is submitted to the public service commission for approval under W.S 37-3-404(a), the electric utility shall provide direct notice that a wildfire mitigation plan has been filed with the public service commission to the Wyoming association of conservation districts, Wyoming association of municipalities and the counties in the electric utility's Wyoming service territories.".

Page 11-line 14 Delete "original"; delete "made before July 1, 2025" and insert "or the terms in any other agreements between electric utilities and third parties for the shared use of facilities".

HB0192SW002/ADOPTED (TO ENGROSSED COPY)

Page 10-line 3 Delete "shall" and insert "may".

Page 10-line 9 After "plan" insert "and the denial or delay was a proximate cause of the damages to the plaintiff. A denial or delay shall not be deemed a proximate cause of the damages unless the electric utility made reasonable

efforts to enforce their easement access rights within a reasonable time."

HB0192S2001/ADOPTED (TO ENGROSSED COPY)

Page 3-line 4 After "**plans;**" insert "**preemption;**".

Page 3-line 7 Before "Nothing" insert "(a)".

Page 3-after line 9 Insert:

"(b) Wildfire mitigation plans approved by the commission shall preempt any part of a local land use plan or ordinance that would impede or preclude an electric utility from implementing the wildfire mitigation plan."

HB0192S2002/ADOPTED (TO ENGROSSED COPY)

Page 7-after line 4 In the Senate standing committee amendment (HB0192SS001/AE) to this line, in subsection (b) created by that amendment, delete "the Wyoming association of conservation districts, Wyoming association of municipalities and the" and insert "all conservation districts, municipalities and".

HB0192S3001/ADOPTED (TO ENGROSSED COPY)

Page 10-line 3 Delete the second Case committee of the whole amendment (HB0192SW002/AE) to this line.

Page 10-line 11 After "with" insert "gross negligence,".

Page 10-line 15 After "action" insert "filed under subsection (c) of this section".

Page 11-after line 10 Insert:

"(e) Nothing in this section shall be construed to apply to any action against an electric utility for:

(i) Any act or omission taken by the electric utility that is not addressed or covered in the electric utility's wildfire mitigation plan;

(ii) Any act or omission taken by the electric utility that causes damages or losses not caused or created by a wildfire."

Ayes 29

Noes 0

Excused 1

Absent 0

Conflict 1

The Senate respectfully asks the House to concur by adopting the listed amendments.

Sincerely,

Ellen Thompson
Senate Chief Clerk

Bill Jacket Attached