

12-6-101. Sale or possession prohibited; when possession unlawful; public drunkenness; falsification of identification; penalty; prima facie identification as defense.

(c) Except as otherwise provided in this title, no person under the age of twenty-one (21) years shall:

(v) Have measurable blood, breath or urine alcohol concentration in his body;~~or~~

(vi) Enter or remain in ~~an establishment~~ designated sales areas approved by the local licensing authority that is primarily for off-premise sales of alcoholic liquor or malt beverages unless accompanied by a parent, spouse or legal guardian who is twenty-one (21) years of age or older; ~~or~~

(vii) Dispense or sell any alcoholic liquor or malt beverage. The term “dispensing” means mixing or pouring alcoholic liquors or malt beverages.

Section 3. W.S. 12-2-201(g)(i) and (ii), 12-2-501 through 12-2-505, 12-4-102(a)(vii) and (viii), 12-4-103(b) through (d), 12-4-201(g), 12-4-407(d), 12-4-409, 12-4-410(f), 12-4-412, 12-4-505(a) and (b), 12-4-602(c), 12-4-603(b) and 12-5-201(g) through (j) are repealed.

Section 4. This act is effective July 1, 2021.

Approved February 9, 2021.

Chapter 23

DEPARTMENT OF TRANSPORTATION COMMUNICATION FACILITIES

Original House Bill No. 15

AN ACT relating to the department of transportation; amending leasing provisions for department of transportation communications facilities for the provision of broadband and telecommunications services; specifying disposition of lease proceeds from communications facilities; providing definitions; and providing for an effective date.

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

Section 1. W.S. 24-2-116 is amended to read:

24-2-116. Department of transportation state-funded communications facilities.

(a) ~~Upon application by a telecommunications company, if the public service commission determines that it is necessary to provide telecommunications service to underserved areas of the state, the Wyoming department of transportation shall~~ may lease excess capacity on any state-funded communication infrastructure ~~or facility owned or operated~~ by the department of transportation to the telecommunications company. ~~For purposes of~~

~~this section an area is underserved if private communication providers are unwilling or unable to provide the telecommunication service to a substantial number of households or persons in the geographic area. The rate of the lease shall be a reasonable market-based rate as determined by the public service commission. No telecommunications company may lease excess capacity on a communication infrastructure or facility owned by the department pursuant to this section unless the telecommunications company establishes that excess capacity in that area is unavailable from private commercial communication facility owners. The public service commission may adopt rules and regulations necessary to implement this section. All monies received from any lease executed pursuant to this section shall be deposited into the state general fund and separately accounted for in the department's internal service fund specified by W.S. 9-4-204(t)(ii)(B) and governed by W.S. 9-4-205(e). Monies received and deposited under this section are continuously appropriated to the department and shall only be used to maintain, reinforce and repair the WyoLink network and towers.~~

(b) As used in this section:

(i) "Broadband provider" means a telecommunications company as defined by W.S. 37-15-103(a)(xi), a communications company under W.S. 1-26-813(b) or a cable operator as defined by 47 U.S.C. § 522(5);

(ii) "Telecommunications company" shall include a broadband provider.

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

Approved February 9, 2021.

Chapter 24

SCHOOL FINANCE-DATES FOR FUND TRANSFERS

Original Senate File No. 57

AN ACT relating to school finance; revising the dates of recapture payments for school districts; specifying an additional annual distribution of the county school fund; and providing for an effective date.

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

Section 1. W.S. 21-13-102(b)(i) and (ii) and 21-13-207 are amended to read:

21-13-102. Maximum rate of school district tax; recapture of excess; equalization of permissive levies.

(b) For each school year:

(i) A school district whose revenues from the sources provided by W.S. 21-13-310 exceed the foundation program costs determined under W.S. 21-13-309 by more than three hundred percent (300%), as estimated to the districts on or before August 15 and as subsequently certified to the districts on