

HOUSE BILL NO. HB0181

County officer authority to retain outside counsel.

Sponsored by: Representative(s) Madden and Senator(s)
Schiffer

A BILL

for

1 AN ACT relating to county officers; providing for retention
2 of outside counsel by county officers upon approval of the
3 board of county commissioners; providing for retention of
4 outside counsel by boards of county commissioners in all
5 matters the board deems appropriate; and providing for an
6 effective date.

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

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10 **Section 1.** W.S. 18-3-302(c) is amended to read:

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12 **18-3-302. Duties generally; employment of other**
13 **attorneys by county.**

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15 (c) Nothing in this section or any other Wyoming
16 statute shall be construed to prevent the county

1 commissioners of any county or consolidation of counties,
2 or any county officer upon approval by the board of county
3 commissioners, from either employing one (1) or more
4 attorneys to appear and prosecute or defend or assist the
5 county and prosecuting attorney in behalf of the people of
6 the state or such county or consolidation of counties in
7 any action or proceeding, whether civil or criminal or from
8 employing one (1) or more attorneys to provide the county
9 commissioners or any county officer upon approval by the
10 board of county commissioners legal advice independent of
11 the county and prosecuting attorney in any matter the board
12 deems appropriate. In such case, the ~~nature and board of~~
13 county commissioners is solely responsible to determine the
14 necessity of the employment ~~shall appear but shall state it~~
15 in the record of the board or boards. Nothing in this
16 section shall be construed to prevent the board of county
17 commissioners of a county which has consolidated from
18 independently employing one (1) or more attorneys to serve
19 their respective counties.

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1 **Section 2.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

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(END)