

ORIGINAL HOUSE
BILL NO. 0010

ENROLLED ACT NO. 3, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2006 BUDGET SESSION

AN ACT relating to workers' compensation; amending bonding and coverage requirements for employees of nonresident employers, as specified; providing a penalty for delinquent employer reports, as specified; amending the minimum penalty on delinquent premiums; repealing the requirement that covered employment be principally localized in Wyoming; and providing for an effective date.

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

Section 1. W.S. 27-1-106(c)(ii), 27-14-202 by creating a new subsection (j), 27-14-203(c), 27-14-301(a)(intro) and 27-14-302(b) and by creating a new subsection (e) are amended to read:

27-1-106. Certain nonresident employers required to post bond; exceptions.

(c) The bond or security provided for in this section shall ensure:

(ii) All other payments or obligations of the nonresident employer required by the Wyoming Worker's Compensation Act unless waived by the director pursuant to W.S. 27-14-302.

27-14-202. Premium payments; payroll reports; department authority to establish joint reporting; remedies for incorrect earnings categorizations by employers.

(j) The division, on or about the fifteenth of the month following the due date, shall send a written notice of delinquency to an employer failing to submit a report as required by this section. An employer failing to submit a report required by this section within thirty (30) days of

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the date due shall, in addition to any delinquent premium penalty pursuant to W.S. 27-14-203, be assessed a penalty of one hundred dollars (\$100.00) for each delinquent report.

27-14-203. Failure of employer to make payments; interest; lien; injunction; nonexclusive remedies.

(c) Premiums not paid on or before the date due shall bear interest of two percent (2%) per month or any fractional portion thereof, ~~or fifty dollars (\$50.00) per month, whichever amount is greater,~~ from the due date until payment plus accrued interest is received by the division. The interest is part of the payment due for all purposes if suit is instituted as provided in this act.

27-14-301. Applicability of provisions.

(a) This act applies to all injuries and deaths occurring in Wyoming in employment described in W.S. 27-14-108(a), (d), (e), (j), (k) or (m) ~~if the employment is principally localized in Wyoming~~ and to all injuries and deaths occurring outside of Wyoming in employment described in W.S. 27-14-108(a), (d), (e), (j), (k) or (m) under the following conditions:

27-14-302. Required reporting; security required for certain nonresident employers.

(b) Before starting business or engaging work in this state, a nonresident employer as defined by W.S. 27-1-106(a) shall register as required by W.S. 27-14-207, and shall either pay an advance premium deposit as provided in the department's rules and regulations or shall file with the director a surety bond or other security approved by the director, as provided in W.S. 27-1-106.

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(e) The requirements of this section shall be waived if the nonresident employer provides a certificate of coverage pursuant to W.S. 27-14-306(b).

Section 2. W.S. 27-14-108(g)(iv) and 27-14-301(a)(i) and (b) are repealed.

Section 3. This act is effective July 1, 2006.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk