

HOUSE BILL NO. HB0084

Livestock fence repairs.

Sponsored by: Representative(s) Moniz, Brown, Davison,
Paxton, Semlek and Zwonitzer, Dn. and
Senator(s) Driskill, Emerich, Hicks and
Schiffer

A BILL

for

1 AN ACT relating to livestock fences; providing immunity for
2 persons who repair livestock fences under specified
3 circumstances; specifying duties regarding repair of
4 livestock fences; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 11-20-202(b), 11-24-108(g) and
9 24-1-112(a) are amended to read:

10

11 **11-20-202. Duties of board; enforcement of**
12 **provisions.**

13

14 (b) The board shall enforce the brand inspection
15 provisions of this act. No agent of the board exercising

1 ordinary care and precaution in performing his duties is
2 liable for any damage or loss that may be incurred thereby.

3 The immunity from liability provided by this section shall
4 include liability for damages alleged to have been caused
5 by an agent's efforts to repair a fence.

6
7 11-24-108. Stock at large or picketed on public
8 highways; penalties for violations; impoundment and
9 disposition; fees; proceeds from disposition thereof;
10 removal of dead or injured animals.

11
12 (g) A peace officer may remove, destroy or otherwise
13 dispose of an animal injured on a state highway after a
14 reasonable attempt to locate the owner of a salvageable
15 animal or a game warden in the case of a wild animal. If
16 reasonably possible, the peace officer shall contact the
17 brand inspector before removing, destroying or disposing of
18 livestock. The carcass of an animal killed on a state
19 highway shall be disposed of by highway maintenance crews.
20 If the owner desires, he may claim the carcass from the
21 maintenance crew. The crews shall report to the inspector
22 brands, marks, tags or other identification. The inspector
23 shall endeavor to establish ownership of the animal and
24 notify the owner in writing or notify the local game warden

1 as may be appropriate. Notwithstanding W.S. 24-1-112 and
2 as part of their duties, any peace officer, inspector or
3 other person acting under this section may, but is not
4 obligated to, attempt to repair any fencing through which
5 an animal has gained improper access to the area in which
6 the animal is found.

7
8 **24-1-112. Construction and repair of fences to be**
9 **performed by department of transportation.**

10
11 (a) Except as provided by W.S. 11-24-108(g), in the
12 event that fences paralleling state highways, or built on
13 the highway right-of-way need repair or reconstruction to
14 meet legal fence requirements, as set forth in W.S.
15 11-28-102, the actual work of repair and reconstruction of
16 the fence, including all corresponding labor costs, shall
17 be performed by the department of transportation.

18
19 **Section 2.** This act is effective immediately upon
20 completion of all acts necessary for a bill to become law
21 as provided by Article 4, Section 8 of the Wyoming
22 Constitution.

23
24 (END)