HOUSE BILL NO. HB0255

Debt collection attorney's fees.

Sponsored by: Representative(s) Stith and Burkhart and Senator(s) Steinmetz

A BILL

for

- 1 AN ACT relating to civil procedure and debt collection;
- 2 providing for attorney's fees in debt collection cases as
- 3 specified; and providing for an effective date.

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

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7 **Section 1.** W.S. 1-14-129 is created to read:

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9 1-14-129. Attorney's fees allowed for recovery of debt.

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11 (a) As used in this section:

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- 13 (i) "Debt" means any obligation of a person to pay
- 14 money to another person, whether or not the obligation has
- 15 been reduced to judgment;

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counterclaim or setoff.

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2 (ii) "Judgment amount" means the amount found by 3 a court to be debt before that amount is reduced by

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6 (b) For actions for the collection of a debt where the
7 amount in controversy does not exceed six thousand dollars
8 (\$6,000.00), the attorney's fees provided by subsection (c)
9 of this section shall be awarded to the plaintiff upon a
10 judgment in his favor, unless otherwise provided by law or

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contract.

13 (c) Attorney's fees awarded under this section shall be 14 awarded by the court in a reasonable amount if the plaintiff 15 retained, employed or otherwise engaged an attorney in 16 connection with the case. Attorney's fees shall not be 17 recoverable when the judgment amount is less than one hundred 18 dollars (\$100.00). When the judgment amount is more than one 19 hundred dollars (\$100.00), the attorney's fee shall be ten 20 percent (10%) of the judgment, or as otherwise provided by 21 law or contract.

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1 (d) This section shall apply to original creditors as 2 well as their assignees and successors. 3 4 (e) This section does not apply to a cause of action alleging personal injury, regardless of the legal theory 5 6 asserted. 7 8 (f) Nothing in this section shall be construed to supersede, repeal or revoke the provisions of any other 9 section. 10 11 12 Section 2. This act shall apply to actions filed on or 13 after the effective date of this act. 14 Section 3. This act is effective July 1, 2019. 15 16

(END)

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