

## HOUSE BILL NO. HB0044

Revisor's bill.

Sponsored by: Management Council

A BILL

for

1 AN ACT relating to the revision of statutes and other  
2 legislative enactments; correcting statutory references and  
3 language resulting from inadvertent errors and omissions in  
4 previously adopted legislation; amending obsolete  
5 references; and providing for an effective date.

6

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

8

9       **Section 1.** W.S. 1-1-138(c), 1-1-140(d), 1-23-107(a),  
10 1-39-103(a)(ix), 6-8-104(aa), 7-6-103(k), 7-13-402(g),  
11 7-13-1401(h), 7-13-1501(j), 7-13-1502(j), 7-18-106(c),  
12 9-1-404, 9-1-406, 9-1-407(a) and (b), 9-2-3204(b)(xii) and  
13 (xiii), 11-20-201(b), 13-12-104(a)(intro), 14-12-104,  
14 15-1-125(c), 15-4-304, 15-4-308, 17-32-102(a)(xiv),  
15 17-32-126(b)(i)(C), 18-2-111, 18-3-510(a), 18-3-513(b),  
16 35-2-1108 and 37-12-306(e) are amended to read:

1

2           **1-1-138. Donation of emergency responder equipment;**  
3 **exemption from civil and criminal liability; definitions;**  
4 **relation to other law.**

5

6           (c) Should any grant of immunity, exception or  
7 imposition of liability within the Wyoming Governmental  
8 Claims Act, ~~W.S. 1-39-101 through 1-39-120,~~ conflict with  
9 any provision of this section, the Wyoming Governmental  
10 Claims Act shall prevail.

11

12           **1-1-140. Public utility exemption from civil**  
13 **liability; catastrophes caused by an act of God.**

14

15           (d) Should any grant of immunity, exception or  
16 imposition of liability within the Wyoming Governmental  
17 Claims Act, ~~W.S. 1-39-101 through 1-39-120,~~ conflict with  
18 any provision of this section, the Wyoming Governmental  
19 Claims Act shall prevail.

20

21           **1-23-107. Individual liability of members of**  
22 **governmental agencies.**

23

1 (a) Notwithstanding ~~W.S. 1-39-101 through 1-39-120~~  
2 any provision of the Wyoming Governmental Claims Act, the  
3 members of any governmental board, agency, council,  
4 commission or governing body are not individually liable  
5 for any actions, inactions or omissions by the governmental  
6 board, agency, council, commission or governing body.

7  
8 **1-39-103. Definitions.**

9  
10 (a) As used in this act:

11  
12 (ix) "This act" means W.S. 1-39-101 through  
13 ~~1-39-123~~ 1-39-124.

14  
15 **6-8-104. Wearing or carrying concealed weapons;**  
16 **penalties; exceptions; permits.**

17  
18 (aa) Notwithstanding the provisions of W.S. 1-39-105  
19 through 1-39-112, the attorney general and members of the  
20 division of criminal investigation are immune from personal  
21 liability for issuing, for failing to issue and for  
22 revoking any concealed firearms permit under this section.  
23 A sheriff, police chief, employee of a sheriff or police

1 chief's office shall not be personally liable for damages  
2 in a civil action arising from any information submitted  
3 pursuant to subsections (g) through (j) of this section.  
4 Nothing in this section shall relieve any governmental  
5 entity of any liability pursuant to ~~W.S. 1-39-101 through~~  
6 ~~1-39-120~~ the Wyoming Governmental Claims Act.

7

8 **7-6-103. Creation of office of state public defender;**  
9 **appointment of state public defender and assistants;**  
10 **duties; removal.**

11

12 (k) Notwithstanding any other provision of law to the  
13 contrary, any attorney providing services for the office of  
14 the state public defender in the defense of a criminal case  
15 shall, for matters arising out of such services, be  
16 considered a state employee for purposes of coverage and  
17 representation under the Wyoming Governmental Claims Act,  
18 ~~W.S. 1-39-101 through 1-39-120,~~ and the state  
19 self-insurance program, W.S. 1-41-101 through 1-41-111.

20

21 **7-13-402. General powers and duties of board;**  
22 **eligibility for parole; immunity.**

23

1 (g) Notwithstanding ~~W.S. 1-39-101 through 1-39-119~~  
2 the Wyoming Governmental Claims Act, the board and its  
3 members are immune from any liability, either as a board or  
4 individually, for any actions, inactions or omissions by  
5 the board or any member thereof, pursuant to W.S. 7-13-401  
6 through 7-13-424.

7  
8 **7-13-1401. Petition for expungement; records of**  
9 **arrest, dismissal of charges, disposition; eligibility; no**  
10 **filing fee.**

11  
12 (h) Notwithstanding ~~W.S. 1-39-101 through 1-39-120~~  
13 any provision of the Wyoming Governmental Claims Act, the  
14 division of criminal investigation and its employees are  
15 immune from liability, either as an agency or individually,  
16 for any actions, inactions or omissions by the agency or  
17 any employee thereof, pursuant to this section.

18  
19 **7-13-1501. Petition for expungement of records of**  
20 **conviction of certain misdemeanors; filing fee; notice;**  
21 **objections; hearing; definitions; exceptions.**

22

1           (j) Notwithstanding ~~W.S. 1-39-101 through 1-39-120~~  
2 any provision of the Wyoming Governmental Claims Act, the  
3 division of criminal investigation and its employees and  
4 any prosecuting attorney are immune from liability, either  
5 as an agency or individually, for any actions, inactions or  
6 omissions by the agency or any employee thereof, pursuant  
7 to this section.

8  
9           **7-13-1502. Petition for expungement of records of**  
10 **conviction of certain felonies; filing fee; notice;**  
11 **objections; hearing; definitions; restoration of rights.**

12  
13           (j) Notwithstanding ~~W.S. 1-39-101 through 1-39-120~~  
14 any provision within the Wyoming Governmental Claims Act,  
15 the division of criminal investigation and its employees  
16 and any prosecuting attorney are immune from liability,  
17 either as an agency or individually, for any actions,  
18 inactions or omissions by the agency or any employee  
19 thereof, pursuant to this section.

20  
21           **7-18-106. Powers and duties of boards.**

22

1           (c) Notwithstanding ~~W.S. 1-39-101 through 1-39-120~~  
2 any provision within the Wyoming Governmental Claims Act,  
3 or any other provision of law and except for intentional  
4 torts or illegal acts, a corrections board and its members  
5 are immune from any liability, either as a board or  
6 individually, for any actions or omissions by the board or  
7 any member thereof pursuant to this act.

8

9           **9-1-404. Specified claims against state to be**  
10 **presented within one year.**

11

12 Except as provided by ~~W.S. 1-39-101 through 1-39-120~~ the  
13 Wyoming Governmental Claims Act, persons having claims  
14 against the state shall document the claim and submit it to  
15 the state auditor within one (1) year after the claim  
16 accrues, to be audited, settled and acted upon.

17

18           **9-1-406. Taking evidence concerning settlement of**  
19 **accounts.**

20

21 Except as provided by ~~W.S. 1-39-101 through 1-39-120~~ the  
22 Wyoming Governmental Claims Act, the state auditor may  
23 examine the parties, witnesses or others, on oath or

1 affirmation, relating to any matters material to the  
2 settlement of accounts, including information which is  
3 declared confidential by law, and for that purpose may  
4 issue subpoenas and compel witnesses to attend before him  
5 and give evidence in the same manner and by the same means  
6 allowed by law to courts of record. The state auditor shall  
7 take all reasonable measures necessary to protect the  
8 confidentiality of all confidential information obtained  
9 pursuant to this section.

10  
11 **9-1-407. Certificate of auditor's decision; claims**  
12 **against state in absence of appropriation or authorization.**

13  
14 (a) At the request of a person who is dissatisfied  
15 with the decision of the auditor on any claim, account or  
16 credit except as provided by ~~W.S. 1-39-101 through 1-39-120~~  
17 the Wyoming Governmental Claims Act, the auditor shall  
18 certify his findings and decision.

19  
20 (b) Except as provided by ~~W.S. 1-39-101 through~~  
21 ~~1-39-120~~ the Wyoming Governmental Claims Act, when the law  
22 recognizes a claim for money against this state and no  
23 appropriation or authorization is made by law to pay the

1 claim, upon demand, the auditor shall audit and adjust the  
2 claim and give the claimant a certificate of the amount of  
3 the claim.

4

5 **9-2-3204. General services division.**

6

7 (b) For the purpose of this subsection the term  
8 "agencies" does not include the University of Wyoming,  
9 community college districts, or school districts. It does  
10 not include the department of transportation except as to  
11 paragraphs (xi), (xii) and (xiii) of this subsection. The  
12 department through the general services division shall:

13

14 (xii) Secure and maintain insurance against the  
15 risks of fire and theft and other insurance deemed  
16 necessary or required by law on all motor vehicles, trailer  
17 attachments and aircraft owned by the state of Wyoming or  
18 any of its agencies. The insurance secured and maintained  
19 shall be in an amount which is adequate to protect the  
20 interest of the state but not less than the amounts  
21 required by ~~W.S. 1-39-101 through 1-39-120~~ the Wyoming  
22 Governmental Claims Act. In securing insurance the  
23 department shall take full advantage of experience ratings

1 and groupings or master policies to the end that the  
2 insurance may be secured at the lowest possible beneficial  
3 rates and for the best interest of the state;

4

5 (xiii) Secure personal liability and surety  
6 bonds for Wyoming peace officers, employees and state  
7 officials as required by statute, secure professional  
8 liability insurance for Wyoming doctors and nurses employed  
9 by the state, and secure liability insurance for all  
10 property owned by the state or any of its agencies as  
11 required by ~~W.S. 1-39-101 through 1-39-120~~ the Wyoming  
12 Governmental Claims Act;

13

14 **11-20-201. Designation of contract services to**  
15 **implement brand inspection laws; bond required; bond of**  
16 **inspectors; interstate cooperative agreements.**

17

18 (b) The agency, or the board may contract for  
19 inspectors as the board deems necessary to carry out  
20 specified duties. The board may contract for inspectors  
21 through an individual at-will contract. The board may  
22 contract to provide the inspector salary, mileage, per diem  
23 and other necessary reimbursable expenses, membership in

1 the state employees' and officials' group insurance plan in  
2 accordance with W.S. 9-2-3207(a)(xi)(F)(IV) and 9-3-207,  
3 and the state retirement system in accordance with W.S.  
4 9-2-3207(a)(xi)(F)(IV), 9-3-412 and 9-3-413.1. The board  
5 shall be authorized to establish mileage rates without  
6 regard to the limitations provided in W.S. 9-3-103. During  
7 the time that inspectors are acting within the scope of  
8 their duties on behalf or in service of the state in their  
9 official capacity, inspectors are covered by the provisions  
10 of the Wyoming Governmental Claims Act, ~~W.S. 1-39-101~~  
11 ~~through 1-39-120,~~ and the state self-insurance program,  
12 W.S. 1-41-101 through 1-41-111. It may assign inspectors  
13 inside or outside of this state as it deems appropriate. A  
14 blanket bond or individual bonds shall be executed to the  
15 state with good and sufficient surety in an amount  
16 determined by the board, conditioned for the full and  
17 faithful performance and discharge of the inspector's  
18 duties. The bond shall be approved by and filed in the  
19 office of the board.

20

21 **13-12-104. Requirements relating to depositors;**  
22 **nature of business.**

23

1           (a) ~~Except as otherwise provided by subsection (d) of~~  
2 ~~this section,~~ No depositor shall maintain an account with a  
3 special purpose depository institution or otherwise receive  
4 any services from the institution unless the depositor  
5 meets the criteria of this subsection. A depositor shall:  
6

7           **14-12-104. Applicability of the Wyoming Governmental**  
8 **Claims Act and state self-insurance program.**  
9

10 Notwithstanding any other provision of law to the contrary,  
11 any attorney providing services for the office pursuant to  
12 the guardian ad litem program shall, for matters arising  
13 out of such services, be considered a state employee for  
14 purposes of coverage and representation under the Wyoming  
15 Governmental Claims Act, ~~W.S. 1-39-101 through 1-39-120,~~  
16 and the state self-insurance program, W.S. 1-41-101 through  
17 1-41-111.  
18

19           **15-1-125. Presentation and payment of claims; when**  
20 **warrant draws interest; exception.**  
21

1 (c) This section does not apply to claims under W.S.  
2 ~~1-39-101 through 1-39-119~~ [~~§ 1-39-120~~] the Wyoming  
3 Governmental Claims Act.

4

5 **15-4-304. Claims; appeals; exception; definition.**

6

7 Except as provided by W.S. 1-39-101 through 1-39-120 the  
8 Wyoming Governmental Claims Act, if any claim against the  
9 city is disallowed in whole or in part, the claimant may  
10 appeal from the decision of the governing body to the  
11 district court of the district in which the city or town is  
12 situated pursuant to Rule 12 of the Wyoming Rules of  
13 Appellate Procedure. "Claim" as used in this section means  
14 claims as are presented for audit and not claims for  
15 salaries of officers and employees or other fixed charges  
16 against the city or town, nor claims covered by W.S.  
17 ~~1-39-101 through 1-39-120~~ the Wyoming Governmental Claims  
18 Act.

19

20 **15-4-308. Conditions causing injury; defects.**

21

22 No action may be maintained against the city or town on  
23 account of injuries received by means of any defect in the

1 condition of any bridge, street, sidewalk or thoroughfare  
2 except as provided by ~~W.S. 1-39-101 through 1-39-119~~ the  
3 Wyoming Governmental Claims Act.

4  
5 **17-32-102. Definitions.**

6  
7 (a) As used in this act:

8  
9 (xiv) "This act" means W.S. 17-32-101 through  
10 ~~17-32-128~~ 17-32-129.

11  
12 **17-32-126. Winding up; termination.**

13  
14 (b) In winding up a decentralized unincorporated  
15 nonprofit association, the members:

16  
17 (i) Shall discharge the nonprofit association's  
18 debts, obligations and other liabilities, settle and close  
19 the nonprofit association's business and distribute any  
20 remaining property:

21  
22 (C) If neither ~~subdivision~~ subparagraph (A)  
23 or (B) of this paragraph applies, in accordance with the

1 law of unclaimed property contained in W.S. 34-24-101  
2 through 34-24-140.

3

4 **18-2-111. Judgment against county to be paid by tax**  
5 **levy; when execution to issue.**

6

7 Except as provided in ~~W.S. 1-39-101 through 1-39-120~~ the  
8 Wyoming Governmental Claims Act, when a judgment is  
9 rendered against the board of county commissioners or any  
10 county officer the judgment shall be paid by a tax levied  
11 for that purpose and when collected shall be paid by the  
12 county treasurer to the judgment creditor upon the delivery  
13 of a proper voucher. Execution may issue on the judgment if  
14 payment is not made within sixty (60) days after the time  
15 required for the payment of county taxes to the county  
16 treasurer.

17

18 **18-3-510. Claims against county to be itemized and**  
19 **verified; penalty.**

20

21 (a) No claim against the county shall be allowed by  
22 the board of county commissioners unless it is properly  
23 dated and itemized and the value of each item specifically

1 described, and when no specified fees are allowed by law,  
2 the date that such services were rendered and the time  
3 actually and necessarily devoted to the performance of any  
4 service. Each claim shall be accompanied by an affidavit,  
5 stating that the claim is just and correct and that no part  
6 of the claim has been paid by the county or other person.  
7 The board of county commissioners may disallow any account,  
8 in whole or in part, when so rendered and verified, and may  
9 require further evidence of the truth and propriety of the  
10 claim. This section does not apply to claims under W.S.  
11 ~~1-39-101 through 1-39-120~~ the Wyoming Governmental Claims  
12 Act.

13

14 **18-3-513. Appeal on disallowance of claim.**

15

16 (b) When the appeal is perfected, the clerk of the  
17 board shall immediately give notice to the county attorney.  
18 The clerk shall make a brief return of the proceedings  
19 before the board with the decision properly certified and  
20 file the same together with the bond and all papers in the  
21 case in his possession with the clerk of the district  
22 court. The appeal shall be entered, tried and determined  
23 and costs awarded the same as appeals from circuit courts.

1 This section does not apply to claims under ~~W.S. 1-39-101~~  
2 ~~through 1-39-120~~ the Wyoming Governmental Claims Act.

3

4 **35-2-1108. Receiver's liability.**

5

6 (a) The liability of the department shall be limited  
7 as set forth in the Wyoming Governmental Claims Act, ~~W.S.~~  
8 ~~1-39-101 through 1-39-120,~~ for the operation of medical  
9 facilities and the provision of health care.

10

11 (b) If a person is designated to act as a receiver  
12 pursuant to W.S. 35-2-1103(f) and is not covered by the  
13 Wyoming Governmental Claims Act, ~~W.S. 1-39-101 through~~  
14 ~~1-39-120,~~ the designated receiver shall only be held liable  
15 in a personal capacity for the designated receiver's own  
16 gross negligence, intentional acts or breach of fiduciary  
17 duty.

18

19 **37-12-306. Civil penalties; applicability.**

20

21 (e) This section shall not apply to any governmental  
22 entity as defined by W.S. 1-39-103(a)(i), which  
23 participates in the notification center as provided by this

1 act. Nothing in this article shall affect any provision of  
2 the Wyoming Governmental Claims Act, ~~W.S. 1-39-101 through~~  
3 ~~1-39-120.~~

4

5 **Section 2.** This act is effective July 1, 2026.

6

7

(END)