

SENATE FILE NO. SF0005

Hospital bankruptcy proceedings.

Sponsored by: Joint Labor, Health & Social Services Interim
Committee

A BILL

for

1 AN ACT relating to counties; authorizing county memorial
2 hospitals and hospital districts to file for bankruptcy
3 under chapter 9 of the United States bankruptcy code as
4 specified; 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. 18-8-109(a) (intro), (b) and (c) and
9 35-2-438(a) (intro) and by creating a new subsection (d) are
10 amended to read:

11

12 **18-8-109. Dissolution; bankruptcy.**

13

14 (a) Subject to the requirements of this section, the
15 trustees of a memorial hospital may vote to file bankruptcy

1 under chapter 9 of the United States bankruptcy code or to
2 dissolve and terminate the county memorial hospital. The
3 plan to dissolve and terminate the county memorial hospital
4 shall provide for the following:

5
6 (b) Before any vote by the trustees to file
7 bankruptcy or plan to dissolve and terminate a county
8 memorial hospital is effective, the bankruptcy petition and
9 initial plan for the adjustment of debts or the dissolution
10 and termination plan shall be approved by the board of
11 county commissioners.

12
13 (c) If the board of county commissioners approves the
14 bankruptcy petition and initial plan for adjustment of
15 debts or the dissolution and termination plan, the board of
16 trustees may take all action necessary to obtain
17 confirmation of the plan of adjustment and closure of the
18 case under chapter 9 of the United States bankruptcy code
19 or take all action necessary to effectuate the plan and
20 dissolve and terminate the county memorial hospital.

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22 **35-2-438. Dissolution; bankruptcy.**

23

1 (a) Subject to the requirements of this section, the
2 trustees of a hospital district may vote to file bankruptcy
3 under chapter 9 of the United States bankruptcy code or to
4 dissolve and terminate the district. The plan to dissolve
5 and terminate the district shall provide for the following:
6

7 (d) Filing of bankruptcy under subsection (a) of this
8 section shall not require a vote of qualified electors.
9 Before any vote by the trustees of a hospital district to
10 file bankruptcy, the bankruptcy petition and initial plan
11 for adjustment of debts shall be posted on any website
12 operated by the district and be publicly available for a
13 period of not less than seven (7) days prior to the first
14 public meeting of the trustees where the petition and plan
15 will be considered. If the trustees approve the bankruptcy
16 petition and initial plan for adjustment of debts, the
17 trustees may take all action necessary to obtain
18 confirmation of the plan of adjustment and closure of the
19 case under chapter 9 of the United States bankruptcy code.
20

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.

5

6

(END)