

HOUSE BILL NO. HB0093

Governmental claims-maximum liability.

Sponsored by: Representative(s) Kirkbride, Connolly and
Stith and Senator(s) Kost and Von Flatern

A BILL

for

1 AN ACT relating to the Wyoming Governmental Claims Act;
2 increasing the maximum liability under the act; making
3 conforming amendments; specifying applicability; and
4 providing for an effective date.

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

7

8 **Section 1.** W.S. 1-39-110(b) and 1-39-118(a)(i) and
9 (ii) are amended to read:

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11 **1-39-110. Liability; health care providers.**

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13 (b) Notwithstanding W.S. 1-39-118(a), for claims
14 under this section against a physician, physician
15 assistant, nurse, optometrist or dentist who is employed by

1 a governmental entity or who is deemed to be a public
2 employee of the state by virtue of a contract pursuant to
3 W.S. 35-31-101 through 35-31-103, based upon an act, error
4 or omission occurring on or after May 1, 1988, the
5 liability of a governmental entity shall not exceed the sum
6 of one million dollars (\$1,000,000.00) to any claimant for
7 any number of claims arising out of a single transaction or
8 occurrence. ~~nor exceed the sum of one million dollars~~
9 ~~(\$1,000,000.00) for all claims of all claimants arising out~~
10 ~~of a single transaction or occurrence.~~

11

12 **1-39-118. Maximum liability; insurance authorized.**

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14 (a) Except as provided in subsection (b) of this
15 section, in any action under this act, the liability of the
16 governmental entity, including a public employee while
17 acting within the scope of his duties, shall not exceed:

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19 (i) The sum of ~~two hundred fifty thousand~~
20 ~~dollars (\$250,000.00)~~ five hundred thousand dollars
21 (\$500,000.00) to any claimant for any number of claims
22 arising out of a single transaction or occurrence; or

23

1 (ii) The sum of ~~five hundred thousand dollars~~
2 ~~(\$500,000.00)~~ one million five hundred thousand dollars
3 (\$1,500,000.00) for all claims of all claimants arising out
4 of a single transaction or occurrence.

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6 **Section 2.** This act shall only apply to claims
7 arising out of transactions or occurrences taking place on
8 or after July 1, 2020.

9

10 **Section 3.** This act is effective July 1, 2020.

11

12

(END)