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

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

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

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

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

(b) Notwithstanding W.S. 1-39-118(a), for claims under this section against a physician, physician assistant, nurse, optometrist or dentist who is employed by...
2 a governmental entity or who is deemed to be a public
employee of the state by virtue of a contract pursuant to
W.S. 35-31-101 through 35-31-103, based upon an act, error
or omission occurring on or after May 1, 1988, the
liability of a governmental entity shall not exceed the sum
of one million dollars ($1,000,000.00) to any claimant for
any number of claims arising out of a single transaction or
occurrence, nor exceed the sum of one million dollars
($1,000,000.00) for all claims of all claimants arising out
of a single transaction or occurrence.

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

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

(i) The sum of two hundred fifty thousand
dollars ($250,000.00) to any claimant for any number of claims
arising out of a single transaction or occurrence; or
(ii) The sum of five hundred thousand dollars ($500,000.00) \text{one million five hundred thousand dollars} ($1,500,000.00) for all claims of all claimants arising out of a single transaction or occurrence.

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

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