

SENATE FILE NO. SF0053

Local government liability pool amendments.

Sponsored by: Senator(s) Nethercott and Perkins and  
Representative(s) Crago, Greear, MacGuire,  
Oakley and Stith

A BILL

for

1 AN ACT relating to the local government insurance program;  
2 clarifying program payment limits related to health care  
3 provider liability; correcting an incorrect citation;  
4 specifying applicability; and providing for an effective  
5 date.

6

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

8

9 **Section 1.** W.S. 1-42-202(d)(i) and (e) is amended to  
10 read:

11

12 **1-42-202. Local government self-insurance program;**  
13 **creation; authorized payments.**

14

1 (d) Claims against participating local governments  
2 and their public employees, or a judicial officer  
3 exercising the authority vested in him, arising under 42  
4 U.S.C. 1983 or other federal statutes, shall be defended  
5 and indemnification paid subject to the following  
6 conditions:

7  
8 (i) Public employees of participating local  
9 governments, other than peace officers, shall be defended  
10 and, to the extent provided by paragraph ~~(v)~~(iii) of this  
11 subsection, indemnified against any claim or demand,  
12 whether groundless or otherwise, arising out of an alleged  
13 act or omission occurring in the scope of duty;

14  
15 (e) For any claim brought under the Wyoming  
16 Governmental Claims Act the program shall be limited in  
17 liability to payment of no more than the amounts specified  
18 in paragraphs (i) and (ii) of this subsection.  
19 Participating local governments shall be responsible for  
20 the amount of any adjudicated claims and expenses in excess  
21 of:

22

1                    (i) One million dollars (\$1,000,000.00) for any  
2 claim brought under W.S. 1-39-110(b) for any one (1)  
3 occurrence plus loss adjustment expenses; or

4  
5                    (ii) Five hundred thousand dollars (\$500,000.00)  
6 for any other claim brought under the Wyoming Governmental  
7 Claims Act for any one (1) occurrence plus loss adjustment  
8 expenses. ~~Participating local governments shall be~~  
9 ~~responsible for the amount of any adjudicated claims and~~  
10 ~~expenses in excess of this amount.~~

11

12            **Section 2.** This act shall apply to all claims made  
13 under the local government self-insurance program for acts  
14 occurring on or after July 1, 2022.

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16            **Section 3.** This act is effective July 1, 2022.

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18

(END)