

HOUSE BILL NO. HB0071

Insurance fraud reporting.

Sponsored by: Joint Corporations, Elections & Political Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to the insurance code; requiring the
2 reporting of insurance fraud; requiring cooperation in
3 investigations of insurance fraud; providing immunity from
4 civil liability for reporting and cooperating in
5 investigations of insurance fraud; providing a definition;
6 requiring rulemaking; and providing for effective dates.

7

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

9

10 **Section 1.** W.S. 26-13-401 through 26-13-404 are
11 created to read:

12

13

ARTICLE 4

14

INSURANCE FRAUD REPORTING

15

1 **26-13-401. Definitions.**

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3 (a) As used in this article:

4

5 (i) "Insurance fraud" means an act or omission
6 committed by a person who knowingly and with intent to
7 defraud commits or conceals any material information by
8 presenting, causing to be presented or preparing with
9 knowledge or belief that it will be presented to or by an
10 insurer, a reinsurer, a broker or its agent false
11 information as part of, in support of or concerning a fact
12 material to one (1) or more of the following:

13

14 (A) An application for the issuance of, or
15 the rating of, an insurance policy for personal or
16 commercial insurance;

17

18 (B) A claim for payment or other benefit
19 pursuant to an insurance policy for commercial or personal
20 insurance that the person knows to contain materially false
21 information concerning any fact material thereto or
22 conceals, for the purpose of misleading, information
23 concerning any fact material thereto.

1

2 **26-13-402. Requirement to report insurance fraud.**

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4 A person who engages in or conducts the business of
5 insurance in this state who knows or has reason to believe
6 that insurance fraud is being, will be or has been
7 committed by another person shall report the insurance
8 fraud or suspected insurance fraud to the commissioner in
9 the manner prescribed by rule of the commissioner not later
10 than sixty (60) days after discovering the insurance fraud
11 or suspected insurance fraud.

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13 **26-13-403. Requirement to fully cooperate with**
14 **investigations of insurance fraud.**

15

16 A person who engages in or conducts the business of
17 insurance in this state shall fully cooperate with the
18 commissioner in any investigation of insurance fraud or
19 suspected insurance fraud by providing the commissioner the
20 information required by and in the manner prescribed by the
21 commissioner, subject to all confidentiality requirements
22 that would otherwise apply to the information under law.

23

1 **26-13-404. Immunity from civil liability.**

2

3 In the absence of malice, a person who engages in or
4 conducts the business of insurance in this state shall not
5 be subject to civil liability for reporting insurance fraud
6 or suspected insurance fraud to the commissioner pursuant
7 to W.S. 26-13-402 or for cooperating with the commissioner
8 in any investigation of insurance fraud or suspected
9 insurance fraud pursuant to W.S. 26-13-403. Nothing in this
10 section shall be construed to limit a person's immunity
11 from liability under W.S. 26-2-131(b).

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13 **Section 2.** The department of insurance shall
14 promulgate all rules necessary to implement this act.

15

1 **Section 3.**

2

3 (a) Except as otherwise provided by subsection (b) of
4 this section, this act is effective July 1, 2025.

5

6 (b) Sections 2 and 3 of this act are effective
7 immediately upon completion of all acts necessary for a
8 bill to become law as provided by Article 4, Section 8 of
9 the Wyoming Constitution.

10

11

(END)