

1 Page 1-lines 9 through 11 Delete entirely and insert:
2

3 **"Section 1.** W.S. 1-1-138(c), 1-1-140(d), 1-23-107(a), 1-39-
4 103(a) (ix), 6-8-104(aa), 7-6-103(k), 7-13-402(g), 7-13-1401(h), 7-
5 13-1501(j), 7-13-1502(j), 7-18-106(c), 9-1-404, 9-1-406, 9-1-
6 407(a) and (b), 9-2-3204(b) (xii) and (xiii), 11-20-201(b), 13-12-
7 104(a) (intro), 14-12-104, 15-1-125(c), 15-4-304, 15-4-308, 17-32-
8 102(a) (xiv), 17-32-126(b) (i) (C), 18-2-111, 18-3-510(a), 18-3-
9 513(b), 35-2-1108(a) and (b) and 37-12-306(e) are amended to
10 read:".

11
12 Page 1-after line 11 Insert:
13

14 **"1-1-138. Donation of emergency responder equipment;
15 exemption from civil and criminal liability; definitions; relation
16 to other law.**

17
18 (c) Should any grant of immunity, exception or imposition of
19 liability within the Wyoming Governmental Claims Act, ~~W.S. 1-39-~~
20 ~~101 through 1-39-120~~, conflict with any provision of this section,
21 the Wyoming Governmental Claims Act shall prevail.

22
23 **1-1-140. Public utility exemption from civil liability;
24 catastrophes caused by an act of God.**

25
26 (d) Should any grant of immunity, exception or imposition of
27 liability within the Wyoming Governmental Claims Act, ~~W.S. 1-39-~~
28 ~~101 through 1-39-120~~, conflict with any provision of this section,
29 the Wyoming Governmental Claims Act shall prevail.

30
31 **1-23-107. Individual liability of members of governmental
32 agencies.**

33
34 (a) Notwithstanding ~~W.S. 1-39-101 through 1-39-120~~ any
35 provision of the Wyoming Governmental Claims Act, the members of
36 any governmental board, agency, council, commission or governing
37 body are not individually liable for any actions, inactions or
38 omissions by the governmental board, agency, council, commission
39 or governing body.

40
41 **1-39-103. Definitions.**

42
43 (a) As used in this act:
44

1 (ix) "This act" means W.S. 1-39-101 through ~~1-39-123-1-~~
2 39-124.

3
4 **6-8-104. Wearing or carrying concealed weapons; penalties;**
5 **exceptions; permits.**

6
7 (aa) Notwithstanding the provisions of W.S. 1-39-105 through
8 1-39-112, the attorney general and members of the division of
9 criminal investigation are immune from personal liability for
10 issuing, for failing to issue and for revoking any concealed
11 firearms permit under this section. A sheriff, police chief,
12 employee of a sheriff or police chief's office shall not be
13 personally liable for damages in a civil action arising from any
14 information submitted pursuant to subsections (g) through (j) of
15 this section. Nothing in this section shall relieve any
16 governmental entity of any liability pursuant to ~~W.S. 1-39-101~~
17 through 1-39-120 the Wyoming Governmental Claims Act.

18
19 **7-6-103. Creation of office of state public defender;**
20 **appointment of state public defender and assistants; duties;**
21 **removal.**

22
23 (k) Notwithstanding any other provision of law to the
24 contrary, any attorney providing services for the office of the
25 state public defender in the defense of a criminal case shall, for
26 matters arising out of such services, be considered a state
27 employee for purposes of coverage and representation under the
28 Wyoming Governmental Claims Act, ~~W.S. 1-39-101 through 1-39-120~~,
29 and the state self-insurance program, W.S. 1-41-101 through 1-41-
30 111.

31
32 **7-13-402. General powers and duties of board; eligibility**
33 **for parole; immunity.**

34
35 (g) Notwithstanding ~~W.S. 1-39-101 through 1-39-119~~ the
36 Wyoming Governmental Claims Act, the board and its members are
37 immune from any liability, either as a board or individually, for
38 any actions, inactions or omissions by the board or any member
39 thereof, pursuant to W.S. 7-13-401 through 7-13-424.

40
41 **7-13-1401. Petition for expungement; records of arrest,**
42 **dismissal of charges, disposition; eligibility; no filing fee.**

43
44 (h) Notwithstanding ~~W.S. 1-39-101 through 1-39-120~~ any
45 provision of the Wyoming Governmental Claims Act, the division of
46 criminal investigation and its employees are immune from
47 liability, either as an agency or individually, for any actions,

1 inactions or omissions by the agency or any employee thereof,
2 pursuant to this section.

3
4 **7-13-1501. Petition for expungement of records of conviction**
5 **of certain misdemeanors; filing fee; notice; objections; hearing;**
6 **definitions; exceptions.**

7
8 (j) Notwithstanding ~~W.S. 1-39-101 through 1-39-120~~ any
9 provision of the Wyoming Governmental Claims Act, the division of
10 criminal investigation and its employees and any prosecuting
11 attorney are immune from liability, either as an agency or
12 individually, for any actions, inactions or omissions by the agency
13 or any employee thereof, pursuant to this section.

14
15 **7-13-1502. Petition for expungement of records of conviction**
16 **of certain felonies; filing fee; notice; objections; hearing;**
17 **definitions; restoration of rights.**

18
19 (j) Notwithstanding ~~W.S. 1-39-101 through 1-39-120~~ any
20 provision within the Wyoming Governmental Claims Act, the division
21 of criminal investigation and its employees and any prosecuting
22 attorney are immune from liability, either as an agency or
23 individually, for any actions, inactions or omissions by the agency
24 or any employee thereof, pursuant to this section.

25
26 **7-18-106. Powers and duties of boards.**

27
28 (c) Notwithstanding ~~W.S. 1-39-101 through 1-39-120~~ any
29 provision within the Wyoming Governmental Claims Act, or any other
30 provision of law and except for intentional torts or illegal acts,
31 a corrections board and its members are immune from any liability,
32 either as a board or individually, for any actions or omissions by
33 the board or any member thereof pursuant to this act.

34
35 **9-1-404. Specified claims against state to be presented**
36 **within one year.**

37
38 Except as provided by ~~W.S. 1-39-101 through 1-39-120~~ the
39 Wyoming Governmental Claims Act, persons having claims against the
40 state shall document the claim and submit it to the state auditor
41 within one (1) year after the claim accrues, to be audited, settled
42 and acted upon.

43
44 **9-1-406. Taking evidence concerning settlement of accounts.**

45
46 Except as provided by ~~W.S. 1-39-101 through 1-39-120~~ the
47 Wyoming Governmental Claims Act, the state auditor may examine the

1 parties, witnesses or others, on oath or affirmation, relating to
2 any matters material to the settlement of accounts, including
3 information which is declared confidential by law, and for that
4 purpose may issue subpoenas and compel witnesses to attend before
5 him and give evidence in the same manner and by the same means
6 allowed by law to courts of record. The state auditor shall take
7 all reasonable measures necessary to protect the confidentiality
8 of all confidential information obtained pursuant to this section.

9
10 **9-1-407. Certificate of auditor's decision; claims against**
11 **state in absence of appropriation or authorization.**

12
13 (a) At the request of a person who is dissatisfied with the
14 decision of the auditor on any claim, account or credit except as
15 provided by W.S. ~~1-39-101 through 1-39-120~~ the Wyoming
16 Governmental Claims Act, the auditor shall certify his findings
17 and decision.

18
19 (b) Except as provided by W.S. ~~1-39-101 through 1-39-120~~ the
20 Wyoming Governmental Claims Act, when the law recognizes a claim
21 for money against this state and no appropriation or authorization
22 is made by law to pay the claim, upon demand, the auditor shall
23 audit and adjust the claim and give the claimant a certificate of
24 the amount of the claim.

25
26 **9-2-3204. General services division.**

27
28 (b) For the purpose of this subsection the term "agencies"
29 does not include the University of Wyoming, community college
30 districts, or school districts. It does not include the department
31 of transportation except as to paragraphs (xi), (xii) and (xiii)
32 of this subsection. The department through the general services
33 division shall:

34
35 (xii) Secure and maintain insurance against the risks
36 of fire and theft and other insurance deemed necessary or required
37 by law on all motor vehicles, trailer attachments and aircraft
38 owned by the state of Wyoming or any of its agencies. The insurance
39 secured and maintained shall be in an amount which is adequate to
40 protect the interest of the state but not less than the amounts
41 required by W.S. ~~1-39-101 through 1-39-120~~ the Wyoming
42 Governmental Claims Act. In securing insurance the department
43 shall take full advantage of experience ratings and groupings or
44 master policies to the end that the insurance may be secured at
45 the lowest possible beneficial rates and for the best interest of
46 the state;

1 (xiii) Secure personal liability and surety bonds for
2 Wyoming peace officers, employees and state officials as required
3 by statute, secure professional liability insurance for Wyoming
4 doctors and nurses employed by the state, and secure liability
5 insurance for all property owned by the state or any of its
6 agencies as required by ~~W.S. 1-39-101 through 1-39-120~~ the Wyoming
7 Governmental Claims Act;
8

9 **11-20-201. Designation of contract services to implement**
10 **brand inspection laws; bond required; bond of inspectors;**
11 **interstate cooperative agreements.**
12

13 (b) The agency, or the board may contract for inspectors as
14 the board deems necessary to carry out specified duties. The board
15 may contract for inspectors through an individual at-will
16 contract. The board may contract to provide the inspector salary,
17 mileage, per diem and other necessary reimbursable expenses,
18 membership in the state employees' and officials' group insurance
19 plan in accordance with W.S. 9-2-3207(a)(xi)(F)(IV) and 9-3-207,
20 and the state retirement system in accordance with W.S. 9-2-
21 3207(a)(xi)(F)(IV), 9-3-412 and 9-3-413.1. The board shall be
22 authorized to establish mileage rates without regard to the
23 limitations provided in W.S. 9-3-103. During the time that
24 inspectors are acting within the scope of their duties on behalf
25 or in service of the state in their official capacity, inspectors
26 are covered by the provisions of the Wyoming Governmental Claims
27 Act, ~~W.S. 1-39-101 through 1-39-120~~, and the state self-insurance
28 program, W.S. 1-41-101 through 1-41-111. It may assign inspectors
29 inside or outside of this state as it deems appropriate. A blanket
30 bond or individual bonds shall be executed to the state with good
31 and sufficient surety in an amount determined by the board,
32 conditioned for the full and faithful performance and discharge of
33 the inspector's duties. The bond shall be approved by and filed in
34 the office of the board."
35

36 Page 2-after line 5 Insert:
37

38 **"14-12-104. Applicability of the Wyoming Governmental Claims**
39 **Act and state self-insurance program.**
40

41 Notwithstanding any other provision of law to the contrary,
42 any attorney providing services for the office pursuant to the
43 guardian ad litem program shall, for matters arising out of such
44 services, be considered a state employee for purposes of coverage
45 and representation under the Wyoming Governmental Claims Act, ~~W.S.~~
46 ~~1-39-101 through 1-39-120~~, and the state self-insurance program,
47 W.S. 1-41-101 through 1-41-111.

1
2 **15-1-125. Presentation and payment of claims; when warrant**
3 **draws interest; exception.**
4

5 (c) This section does not apply to claims under ~~W.S. 1-39-~~
6 ~~101 through 1-39-119 [§ 1-39-120]~~ the Wyoming Governmental Claims
7 Act.
8

9 **15-4-304. Claims; appeals; exception; definition.**

10
11 Except as provided by ~~W.S. 1-39-101 through 1-39-120~~ the
12 Wyoming Governmental Claims Act, if any claim against the city is
13 disallowed in whole or in part, the claimant may appeal from the
14 decision of the governing body to the district court of the
15 district in which the city or town is situated pursuant to Rule 12
16 of the Wyoming Rules of Appellate Procedure. "Claim" as used in
17 this section means claims as are presented for audit and not claims
18 for salaries of officers and employees or other fixed charges
19 against the city or town, nor claims covered by ~~W.S. 1-39-101~~
20 ~~through 1-39-120~~ the Wyoming Governmental Claims Act.
21

22 **15-4-308. Conditions causing injury; defects.**

23
24 No action may be maintained against the city or town on
25 account of injuries received by means of any defect in the
26 condition of any bridge, street, sidewalk or thoroughfare except
27 as provided by ~~W.S. 1-39-101 through 1-39-119~~ the Wyoming
28 Governmental Claims Act."
29

30 Page 3-after line 4 Insert:

31
32 **"18-2-111. Judgment against county to be paid by tax levy;**
33 **when execution to issue.**
34

35 Except as provided in ~~W.S. 1-39-101 through 1-39-120~~ the
36 Wyoming Governmental Claims Act, when a judgment is rendered
37 against the board of county commissioners or any county officer
38 the judgment shall be paid by a tax levied for that purpose and
39 when collected shall be paid by the county treasurer to the
40 judgment creditor upon the delivery of a proper voucher. Execution
41 may issue on the judgment if payment is not made within sixty (60)
42 days after the time required for the payment of county taxes to
43 the county treasurer.
44

45 **18-3-510. Claims against county to be itemized and verified;**
46 **penalty.**
47

1 (a) No claim against the county shall be allowed by the board
2 of county commissioners unless it is properly dated and itemized
3 and the value of each item specifically described, and when no
4 specified fees are allowed by law, the date that such services
5 were rendered and the time actually and necessarily devoted to the
6 performance of any service. Each claim shall be accompanied by an
7 affidavit, stating that the claim is just and correct and that no
8 part of the claim has been paid by the county or other person. The
9 board of county commissioners may disallow any account, in whole
10 or in part, when so rendered and verified, and may require further
11 evidence of the truth and propriety of the claim. This section
12 does not apply to claims under ~~W.S. 1-39-101 through 1-39-120~~ the
13 Wyoming Governmental Claims Act.

14
15 **18-3-513. Appeal on disallowance of claim.**

16
17 (b) When the appeal is perfected, the clerk of the board
18 shall immediately give notice to the county attorney. The clerk
19 shall make a brief return of the proceedings before the board with
20 the decision properly certified and file the same together with
21 the bond and all papers in the case in his possession with the
22 clerk of the district court. The appeal shall be entered, tried
23 and determined and costs awarded the same as appeals from circuit
24 courts. This section does not apply to claims under ~~W.S. 1-39-101~~
25 ~~through 1-39-120~~ the Wyoming Governmental Claims Act.

26
27 **35-2-1108. Receiver's liability.**

28
29 (a) The liability of the department shall be limited as set
30 forth in the Wyoming Governmental Claims Act, ~~W.S. 1-39-101 through~~
31 ~~1-39-120~~, for the operation of medical facilities and the
32 provision of health care.

33
34 (b) If a person is designated to act as a receiver pursuant
35 to W.S. 35-2-1103(f) and is not covered by the Wyoming Governmental
36 Claims Act, ~~W.S. 1-39-101 through 1-39-120~~, the designated
37 receiver shall only be held liable in a personal capacity for the
38 designated receiver's own gross negligence, intentional acts or
39 breach of fiduciary duty.

40
41 **37-12-306. Civil penalties; applicability.**

42
43 (e) This section shall not apply to any governmental entity
44 as defined by W.S. 1-39-103(a)(i), which participates in the
45 notification center as provided by this act. Nothing in this
46 article shall affect any provision of the Wyoming Governmental
47 Claims Act, ~~W.S. 1-39-101 through 1-39-120~~. HEINER