



SF0092

Wyoming False Claims Act.

Sponsored By: Senator(s) Nethercott, Crago and Kolb and
Representative(s) Banks, Byron, Clouston, Erickson,
Fornstrom and Lawley

AN ACT relating to civil procedure; providing civil penalties for false claims made against state employees and officials as specified; providing definitions; providing exceptions; providing remedies for retaliation regarding persons who report violations of this act; providing a statute of limitations; providing procedures for lawsuits as specified; creating an account; and providing for an effective date.

2/9/2026 Bill Number Assigned
2/10/2026 S Received for Introduction
2/11/2026 S Introduced and Referred to S01 - Judiciary 30-1-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Barlow, Biteman, Boner, Brennan, Case, Cooper, Crago, Crum, Dockstader, Driskill, French, Gierau, Hicks, Hutchings, Jones, Kolb, Landen, Laursen, Love, Mckeown, Nethercott, Olsen, Pappas, Pearson, Rothfuss, Salazar, Schuler, Scott, Steinmetz

Nays: Senator Ide

Ayes 30 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

2/17/2026 S01 - Judiciary:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Crago, Crum, Hicks, Kolb, Olsen

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/17/2026 S Placed on General File

SF0092SS001/ADOPTED

Page 14-after line 14 Insert and renumber as necessary:

"(iii) Be used to reimburse a prosecuting authority for the investigation and prosecution of false claims pursuant to this act;"

Page 14-line 16 Delete "(iii)" and insert "(iv)".

Page 14-line 20 Delete "(iv)" and insert "(v)". OLSEN, CHAIRMAN

SF0092SW001/ADOPTED

(CORRECTED COPY)

Page 9-line 22 After "sales" insert "and use".

Page 10-after line 15 Insert:

(vii) Regarding the payment of 911 emergency taxes imposed under title 16 of the Wyoming statutes;

(viii) Regarding the payment of state universal service fund contributions under title 37 of the Wyoming statutes;

(ix) Regarding the payment of state message relay service fees under title 16 of the Wyoming statutes;

(x) Regarding the payment of local franchise fees under title 15 of the Wyoming statutes." NETHERCOTT

SF0092SW002/ADOPTED

Page 1-line 7 After "specified;" insert "authorizing civil actions;".

Page 16-after line 4 Insert and renumber as necessary:

"(c) In addition to the provisions of subsections (a), (b) and (f) of this section, the following shall apply to civil actions brought by private persons alleging violations of this act:

(i) A person may bring a civil action for a violation of this act on behalf of the person and the state. Any action brought under this subsection shall be brought on behalf of and in the name of the state. The action may be dismissed only if the attorney general or prosecuting authority give written consent to the dismissal and the reasons for consenting;

(ii) A copy of the complaint and written disclosure of substantially all material evidence and information the person possesses shall be served on the attorney general or the prosecuting authority. The complaint and written disclosure shall be filed in camera, shall remain under seal for not less than sixty (60) days and shall not be served on the defendant until the court orders an action. The attorney general or prosecuting authority may elect to intervene and proceed with the action not more than sixty (60) days after the attorney general or prosecuting authority receives the complaint and the material evidence regarding the violation of this act;

(iii) The attorney general or prosecuting authority may, for good cause shown, move the court for extensions of the time that the complaint and written disclosure remain under seal. Any motions under this paragraph may be supported by affidavits or other submissions in camera. The defendant shall not be required to respond to any complaint filed under this subsection until twenty (20) days after the complaint and written disclosure are unsealed and served upon the defendant;

(iv) Before the expiration of the sixty (60) day period under paragraph (ii) of this subsection or any extensions obtained under paragraph (iii) of this subsection, the attorney general or prosecuting authority shall:

(A) Proceed with the action, where the action shall be conducted by the attorney general or prosecuting authority; or

(B) Notify the court that it declines to take over the action, where the person bringing the action shall have the right to commence and continue with the action.

(v) When a person brings an action under this subsection, no person other than the attorney general or prosecuting authority may intervene or bring a related action based on the facts underlying the pending action.

(d) If the attorney general or prosecuting authority proceeds with and prevails in a civil action brought by a private person under subsection (c) of this section, that person shall receive not less than fifteen percent (15%) but not more than twenty-five percent (25%) of the proceeds of the action or settlement of the claim, depending upon the extent that the person contributed

to the prosecution of the action. Any payment to a person made under this subsection shall be made from the proceeds of the civil action. The person shall also receive compensation for reasonable expenses that were necessarily incurred by the person, plus reasonable attorney fees and costs, all of which shall be awarded against the defendant.

(e) If the attorney general or prosecuting authority does not proceed with a civil action brought by a private person under subsection (c) of this section and the person bringing the action commences and continues with the action, the court may award the defendant reasonable attorney fees and expenses if the defendant prevails in the action and the court finds that the claim of the person bringing the action was clearly frivolous, clearly vexatious or brought primarily for purposes of harassment."

Page 16-line 6 Delete "(c)" and insert "(f)". NETHERCOTT

2/20/2026 S COW:Passed
2/23/2026 S 2nd Reading:Passed
2/24/2026 S 3rd Reading:Passed 30-1-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Barlow, Biteman, Boner, Brennan, Case, Cooper, Crago, Crum, Dockstader, Driskill, French, Gierau, Hicks, Hutchings, Jones, Kolb, Landen, Laursen, Love, Mckeown, Nethercott, Olsen, Pappas, Pearson, Rothfuss, Salazar, Schuler, Scott, Steinmetz

Nays: Senator Ide

Ayes 30 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0