

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO.

Governmental claims-negligent investigations.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to governmental claims; specifying that  
2 governmental entities are not liable for damages to  
3 criminal suspects for the negligent investigations of peace  
4 officers acting within the scope of their official duties;  
5 providing legislative intent; specifying applicability; and  
6 providing for an effective date.

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

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10 **Section 1.** W.S. 1-39-112 is amended to read:

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12 **1-39-112. Liability; peace officers.**

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1       (a) Except as provided in subsection (b) of this  
2 section, a governmental entity is liable for damages  
3 resulting from tortious conduct of peace officers while  
4 acting within the scope of their duties.

5  
6       (b) No governmental entity shall be liable for damages  
7 to a criminal suspect resulting from a peace officer's  
8 negligent investigation while acting within the scope of  
9 the peace officer's duties.

10  
11       **Section 2.** The legislature recognizes the inherent  
12 challenges that peace officers will face when investigating  
13 criminal offenses while owing a duty of care to suspects of  
14 criminal offenses to conduct a criminal investigation in a  
15 non-negligent manner. This act is intended to abrogate the  
16 opinion and holding of the Wyoming supreme court in Palm-  
17 Egle v. Briggs, 2024 WY 31, 545 P.3d 828 (Wyo. 2024) and  
18 provide that governmental entities shall not be liable to  
19 criminal suspects for damages resulting from peace officers  
20 negligently investigating crimes within the scope of their  
21 duties.

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1           **Section 3.** This act applies to all claims under the  
2 Wyoming Governmental Claims Act that are based on a  
3 transaction or occurrence that occurs on and after the  
4 effective date of this act. For purposes of this section, a  
5 "transaction" includes an act, error or omission.

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7           **Section 4.** This act is effective immediately upon  
8 completion of all acts necessary for a bill to become law  
9 as provided by Article 4, Section 8 of the Wyoming  
10 Constitution.

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12

(END)