

HOUSE BILL NO. HB0050

Insurance fraud prevention.

Sponsored by: Representative(s) Brown, Blake, Blikre,
Lubnau, Patton, Stubson and Zwonitzer, Dn.
and Senator(s) Cooper, Hines, Johnson,
Martin, Nutting and Perkins

A BILL

for

1 AN ACT relating to insurance; providing immunity from
2 liability for cooperating with and furnishing information
3 regarding suspected insurance code violations as specified;
4 modifying related provision regarding attorney's fees and
5 costs; and providing for an effective date.

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

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9 **Section 1.** W.S. 26-2-131(b) and (c) is amended to
10 read:

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12 **26-2-131. Immunity from liability.**

13

14 (b) No cause of action shall arise nor shall any
15 liability be imposed against any person for the act of

1 communicating or delivering information or data to the
2 commissioner, the commissioner's authorized representative
3 or examiner, law enforcement agencies or any governmental
4 agency established to detect and prevent fraud pursuant to
5 an examination made under this chapter or any other
6 investigation, if the act of communication or delivery was
7 performed in good faith and without fraudulent intent.

8
9 (c) Any person identified in subsection (a) or (b) of
10 this section shall be entitled to an award of attorney's
11 fees and costs if he is a prevailing party in a civil cause
12 of action for libel, slander or any other relevant tort
13 arising out of activities in carrying out an examination or
14 related activity under the provisions of this chapter and
15 the party bringing the action was not substantially
16 justified in doing so. For purposes of this section, a
17 proceeding is "substantially justified" if it had a
18 reasonable basis in law or fact at the time it was
19 initiated.

20

21 **Section 2.** This act is effective July 1, 2012.

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(END)