

ORIGINAL HOUSE
BILL NO. HB0052

ENROLLED ACT NO. 101, HOUSE OF REPRESENTATIVES

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2017 GENERAL SESSION

AN ACT relating to governmental claims; extending the Wyoming Governmental Claims Act to governmental entities in other states that operate cooperative public transportation programs in Wyoming under specified conditions; expanding intergovernmental cooperation laws to include agreements concerning reciprocal governmental immunity or limitations of liability for cooperative public transportation programs; and providing for an effective date.

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

Section 1. W.S. 1-39-103(a)(ii), by creating a new paragraph (viii) and by renumbering (viii) as (ix), 16-1-101 and 16-1-104 by creating a new subsection (f) are amended to read:

1-39-103. Definitions.

(a) As used in this act:

(ii) "Local government" means cities and towns, counties, school districts, joint powers boards, airport boards, public corporations, community college districts, special districts and their governing bodies, all political subdivisions of the state, and their agencies, instrumentalities and institutions, and governmental entities of another state but only while physically present in the state of Wyoming and while in the course of operating a cooperative public transportation program as defined by W.S. 16-1-104(f);

(viii) "Governmental entity of another state" means any state and its political subdivisions, agencies, instrumentalities and institutions and any local government entity within another state;

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~~(viii)~~(ix) "This act" means W.S. 1-39-101 through 1-39-121.

16-1-101. Authority to cooperate.

In exercising, performing or carrying out any power, privilege, authority, duty or function legally vested in any one (1) or more of them by Wyoming law, the state of Wyoming, and any one (1) or more of its counties, municipal corporations, school districts, special districts, public institutions, agencies, boards, commissions and political subdivisions, and any officer or legal representative of any one (1) or more of them, may cooperate with and assist each other, and like entities or authorities of other states, the United States and the Eastern Shoshone and Northern Arapaho Tribes of the Wind River Reservation. Cooperation may be informal or subject to resolution, ordinance or other appropriate action, and may be embodied in a written agreement specifying purposes, duration, means of financing, methods of operations, termination, acquisition and disposition of property, employment of executive and subordinate agents, reciprocation of governmental immunity protections or other limitations of liability pursuant to W.S. 16-1-104(f) and other appropriate provisions.

16-1-104. Joint powers, functions and facilities; city-county airport board; eligible senior citizen centers; cooperative public transportation programs.

(f) An agency may enter into an agreement with any governmental entity of another state, as defined in W.S. 1-39-103(a)(viii), for purposes of operating a cooperative public transportation program to transport passengers on

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one (1) or more routes beginning in, ending in or passing through Wyoming. Any agreement entered into under this subsection shall only apply to the operation of a cooperative public transportation program and shall be conditioned upon the other state extending or agreeing to extend its governmental immunity or other limitations of liability to any governmental entity of Wyoming while operating a cooperative public transportation program. As used in this subsection, "cooperative public transportation program" means a not-for-profit program designed to transport passengers to and from work or to another location on a regularly scheduled basis using vehicles operated by an agency or a governmental entity of another state.

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Section 2. This act is effective July 1, 2017.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk