

HOUSE BILL NO. HB0221

Nonresident employer bonding requirements.

Sponsored by: Representative(s) Burkhart and Barlow and
Senator(s) Hicks

A BILL

for

1 AN ACT relating to labor and employment; increasing bond or
2 other security required for nonresident employers;
3 expanding application of bond or security funds; increasing
4 the penalty for violations; and providing for an effective
5 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. 27-1-106(b), (c)(i), by creating a
10 new paragraph (ii) and by amending and renumbering (ii) as
11 (iii) and 27-1-107 are amended to read:

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13 **27-1-106. Certain nonresident employers required to**
14 **post bond; exceptions.**

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1 (b) The bond or other security required by subsection
 2 (a) of this section shall be in the amount of ~~ten thousand~~
 3 ~~dollars (\$10,000.00)~~ twenty thousand dollars (\$20,000.00)
 4 plus an additional ~~one thousand dollars (\$1,000.00)~~ two
 5 thousand dollars (\$2,000.00) for each one hundred twenty
 6 thousand dollars (\$120,000.00) or fraction thereof that the
 7 expected wages exceed one hundred twenty thousand dollars
 8 (\$120,000.00) annually.

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10 (c) The bond or security provided for in this section
 11 shall ensure:

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13 (i) The payment of wages of employees working in
 14 the state; ~~and~~

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16 (ii) The payment of civil penalties the
 17 occupational health and safety commission may assess; and

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19 ~~(ii)~~ (iii) All other payments or obligations of
 20 the nonresident employer required by:

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22 (A) The Wyoming Worker's Compensation Act
 23 unless waived by the director pursuant to W.S. 27-14-302; ~~and~~

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(B) Any other section under title 27 of Wyoming statutes or any department of workforce services rule or regulation.

27-1-107. Nonresident employers to post bond; penalty.

Any person or persons, corporation, agent, manager or employer who shall violate or fail to comply with any of the provisions of W.S. 27-1-106 shall be deemed guilty of a misdemeanor, and upon conviction thereof shall for each offense, be subject to a fine of not more than ~~seven hundred fifty dollars (\$750.00)~~ one thousand dollars (\$1,000.00), imprisonment ~~in the county jail~~ for not more than one (1) year, or both.

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

(END)