

HOUSE BILL NO. HB0229

Governmental claims-liability for property damage.

Sponsored by: Representative(s) Jennings, Edwards, Styvar
and Tass and Senator(s) James and Steinmetz

A BILL

for

1 AN ACT relating to governmental claims; eliminating the
2 liability limit for property damage claims under the
3 Wyoming Governmental Claims Act; repealing a provision
4 related to a finding of proximate cause; repealing the
5 prohibition on appeals of decisions; making conforming
6 amendments; and 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. 1-39-118(f)(intro), (ii)(B) and (C)
11 is amended to read:

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13 **1-39-118. Maximum liability; insurance authorized.**

14

1 (f) The liability imposed by W.S. 1-39-105 through
2 1-39-112 may include liability for property damage ~~in an~~
3 ~~amount less than five hundred dollars (\$500.00)~~ in cases in
4 which no personal injury or death resulted, but only under
5 the following conditions:

6

7 (ii) The decision of whether the property damage
8 claim will be paid shall be based on finding that:

9

10 (B) The act occurred while the employee was
11 acting within the scope of his employment duties; ~~and~~

12

13 (C) The employee acted negligently by
14 breaching a duty or by failing to act like a reasonable
15 person. ~~; and~~

16

17 **Section 2.** W.S. 1-39-118(f)(ii)(D) and (v) is
18 repealed.

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20 **Section 3.** This act shall only apply to claims
21 arising out of transactions or occurrences taking place on
22 or after July 1, 2020.

23

1 **Section 4.** This act is effective July 1, 2020.

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3

(END)