

HOUSE BILL NO. HB0255

Debt collection attorney's fees.

Sponsored by: Representative(s) Stith and Burkhardt and
Senator(s) Steinmetz

A BILL

for

1 AN ACT relating to civil procedure and debt collection;
2 providing for attorney's fees in debt collection cases as
3 specified; and providing for an effective date.

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

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7 **Section 1.** W.S. 1-14-129 is created to read:

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9 **1-14-129. Attorney's fees allowed for recovery of debt.**

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11 (a) As used in this section:

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13 (i) "Debt" means any obligation of a person to pay
14 money to another person, whether or not the obligation has
15 been reduced to judgment;

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2 (ii) "Judgment amount" means the amount found by
3 a court to be debt before that amount is reduced by
4 counterclaim or setoff.

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6 (b) For actions for the collection of a debt where the
7 amount in controversy does not exceed six thousand dollars
8 (\$6,000.00), the attorney's fees provided by subsection (c)
9 of this section shall be awarded to the plaintiff upon a
10 judgment in his favor, unless otherwise provided by law or
11 contract.

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13 (c) Attorney's fees awarded under this section shall be
14 awarded by the court in a reasonable amount if the plaintiff
15 retained, employed or otherwise engaged an attorney in
16 connection with the case. Attorney's fees shall not be
17 recoverable when the judgment amount is less than one hundred
18 dollars (\$100.00). When the judgment amount is more than one
19 hundred dollars (\$100.00), the attorney's fee shall be ten
20 percent (10%) of the judgment, or as otherwise provided by
21 law or contract.

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