

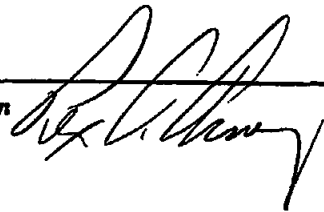
**SENATE FILE 32**

SENATE FILE 32

**Title:**

AN ACT to create W.S. 6-7-111 through 6-7-113 relating to arson-reporting; requiring insurers to disclose information; providing for release of information; providing immunity; providing for confidentiality of information; and providing for an effective date.

Sponsored by:



DATE	ACTION	DATE	ACTION
1-13-81	INTRODUCED		Com. of Whole Amendment SF 32 HW1/A <i>Jo Coy</i>
	READ FIRST TIME		<b>ADOPTED</b>
	COM. NO. <u>1</u>		RECOMMENDED DO.....PASS
	FOR PRINTING	FEB 8 0 1981	READ SECOND TIME
	FOR PRINTED		Amended as follows SF-32 H21/A <i>Jo Coy</i>
	DELIVERED TO COM. NO. <u>1</u>		<b>ADOPTED</b>
1-20-81	STANDING COMM. REPORT	FEB 8 1 1981	READ THIRD TIME
	RECOMMENDED DO PASS AS AMENDED		<b>PASSED</b> Ayes 28 Noes 2 Excused 2 Absent 0
2-3-81	CONSIDERED IN COM. OF WHOLE		Sent to Senate
	STANDING COM. AMBL. AMENDED SF32SS1/A	2-24-81	Resolved Amended
	<b>DO PASS</b>		Senate did not appear on House Amend
			Ayes 27 Noes 0 Excused 0 Absent 1
2-4-81	READ SECOND TIME		Delivered to Enrolling Section
2-5-81	READ THIRD TIME		Received
	<b>PASSED</b>		Delivered to Enrolling Section 2-25-81
	AYES 28 NOES 2 EXCUSED 0 ABSENT 0		SEA. NO. 43 Signed by Enroller
			2-25-81 Speaker
	SENT TO HOUSE LSO		3-3-81 Approved by Governor
2-5-81	<b>ENGROSSED</b>		Chapter No. 122, Session Laws of Wyoming
2-6-81	Sent to House		
FEB 8 1981	READ FIRST TIME		
	REFERRED TO COM. NO. <u>1</u>		
	DELIVERED TO COM. NO. <u>1</u>		
FEB 10 1981	RETURNED		
	RECOMMENDED DO.....PASS <i>80%</i>		
			<i>10%</i>
FEB 15 1981	CONSIDERED IN COM OF WHOLE		

14, 11, 172, 180 *Consent List*

Date 12/18/1

**Roll Call of the House**  
**of the FORTY-SIXTH LEGISLATURE**  
**of Wyoming**

*Edwards*

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 ARNOLD	✓				30 PHELAN	✓			
62 ASAY	✓				29 PROSSER	✓			
61 BRYANT	✓				28 PUGH	✓			
60 BUDD	✓				27 RATLIFF	✓			
59 BURNETT					26 ROTH	✓			
58 BURNS	✓				25 SALISBURY	✓			
57 BYRD	✓				24 SANDERS	✓			
56 CHAMBERLAIN	✓			✓	23 SCHWOPE	✓			
55 CROSS	✓				22 SCOTT, C	✓			
54 CROWLEY	✓				21 SCOTT, D.	✓			
53 CURRY	✓				20 SHREVE	✓			
52 DONLEY	✓				19 SIDI	✓			
51 DUSL	✓				18 SIMONS	✓			
50 EDWARDS	✓				17 SIMPSON	✓			
49 ESKENS	✓				16 SMITH	✓			
48 GETTER	✓				15 SORENSEN	✓			
47 HANSEN <i>Cf</i>			✓		14 STAUFFER	✓			
46 HEMMERT	✓				13 STEWART	✓			
45 JENSEN	✓				12 STRAND	✓			
44 JONES	✓				11 TARTER	✓			
43 KINNISON	✓				10 THOMPSON	✓			
42 LARSON, T.	✓				9 THORSON	✓			
41 LUMMIS	✓				8 TIPTON	✓			
40 MacMILLAN	✓				7 TROWBRIDGE	✓			
39 MARTON	✓				6 URBIGKIT	✓			
38 McCARTHY	✓				5 VINICH	✓			
37 McILVAIN	✓				4 WALLIS	✓			
36 MEENAN	✓				3 WIEDERSPAHN	✓			
35 MICHELI <i>I X</i>			✓		2 WINNINGER	✓			
34 MICHIE	✓				1 MR. SPEAKER	✓			
33 MURPHY	✓				PRESENT _____				
32 ODDE	✓								
31 PERRY	✓								

AYES 60  
 NOES \_\_\_\_\_  
 EXCUSED 2  
 ABSENT \_\_\_\_\_  
 TOTAL 62  
 LESS \_\_\_\_\_

# SF 32 3rd Date 2/5/81

**Roll Call of the Senate**  
**of the FORTY-SIXTH LEGISLATURE**  
**of Wyoming**

	Ayes	Noes	Excused	Absent
31 ARNEY	✓			
30 BOYLE	✓			
29 BUSSART	✓	✓		
28 CHRISTENSEN	✓			
<del>27 GUNDALL</del>				
26 DAILY	✓			
25 DOWNING	✓			
24 FRISBY	✓			
23 GEIS	✓			
22 HICKEY	✓			
21 LARSON, R.	✓			
20 MAJHANOVICH	✓			
19 MOORE	✓			
18 NICHOLAS	✓			
17 NICHOLS	✓			
16 NORRIS		✓		
15 NORTHRUP	✓			
14 PARKS	✓			
13 PECK	✓			
12 PROFFIT	✓			
11 RECTOR	✓			
10 SADLER	✓			
9 SEDAR	✓			
8 STAFFORD	✓			
7 STROOCK	✓			
6 TAGGART	✓			
5 TRUE	✓			
4 TURNER	✓			
3 YOUTZ	✓			
2 ZIMMER	✓			
1 MR. PRESIDENT	✓			

PRESENT \_\_\_\_\_ AYES 20  
NOES 2  
EXCUSED 0  
ABSENT 0  
TOTAL 30

# Roll Call of the Senate

## of the FORTY-SIXTH LEGISLATURE

### of Wyoming

	Ayes	Noes	Excused	Absent
31 ARNEY	✓			
30 BOYLE	✓			
29 BUSSART	✓			
28 CHRISTENSEN	✓			
<del>27 CUNDALL</del>				
26 DAILY	✓			
25 DOWNING	✓			
24 FRISBY	✓			
23 GEIS	✓			
22 HICKEY	✓			
21 LARSON, R.	✓			
20 MAJHANOVICH	✓			
19 MOORE	.			✓
18 NICHOLAS	✓			
17 NICHOLS	✓			
16 NORRIS	✓			
15 NORTHROP	✓			
14 PARKS	✓			
13 PECK	✓			
12 PROFFIT	✓			
11 RECTOR	✓			
10 SADLER	✓			
9 SEDAR	✓			
8 STAFFORD	✓			
7 STROOCK	✓			
6 TAGGART	✓			
5 TRUE	✓			
4 TURNER	✓			
3 YOUTZ	✓			
2 ZIMMER	✓			
1 MR. PRESIDENT	✓			

PRESENT _____	AYES	29	
	NOES	0	
	EXCUSED	0	
	ABSENT	1	
	TOTAL	30	

# 2932

Chad Reading

Date 2/21/81

Roll Call of the House  
of the FORTY-SIXTH LEGISLATURE  
of Wyoming

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 ARNOLD	✓				30 PHELAN	✓			
62 ASAY	✓				29 PROSSER	✓			
61 BRYANT	✓				28 PUGH	✓			
60 BUDD	✓				27 RATLIFF	✓			
59 BURNETT					26 ROTH	✓			
58 BURNS	✓				25 SALISBURY	✓			
57 BYRD	✓				24 SANDERS	✓			
56 CHAMBERLAIN	✓				23 SCHWOPE	✓			
55 CROSS	✓				22 SCOTT, C	✓			
54 CROWLEY	✓				21 SCOTT, D.	✓			
53 CURRY	✓				20 SHREVE	✓			
52 DONLEY	✓				19 SIDI	✓			
51 DUSL	✓				18 SIMONS	✓			
50 EDWARDS	✓				17 SIMPSON	✓			
49 ESKENS	✓				16 SMITH	✓			
48 GETTER	✓				15 SORENSEN	✓			
47 HANSEN <i>HJ</i>	✓		✓		14 STAUFFER	✓			
46 HEMMERT	✓				13 STEWART	✓			
45 JENSEN	✓				12 STRAND	✓			
44 JONES	✓				11 TARTER	✓			
43 KINNISON	✓				10 THOMPSON	✓			
42 LARSON, T.	✓				9 THORSON	✓			
41 LUMMIS	✓				8 TIPTON	✓			
40 MacMILLAN	✓				7 TROWBRIDGE	✓			
39 MARTON	✓				6 URBIGKIT	✓			
38 McCARTHY	✓				5 VINICH	✓	✓		
37 McILVAIN	✓				4 WALLIS	✓			
36 MEENAN	✓	✓			3 WIEDERSPAHN	✓			
36 MICHELI <i>EX</i>	✓		✓		2 WINNINGER	✓			
34 MICHIE	✓				1 MR. SPEAKER	✓			
33 MURPHY	✓				PRESENT _____				
32 ODDE	✓								
31 PERRY	✓								

AYES 58  
 NOES 2  
 EXCUSED 2  
 ABSENT \_\_\_\_\_  
 TOTAL 62  
 LESS \_\_\_\_\_

ENGROSSED

1981

STATE OF WYOMING

81LS0-187/eng

SENATE FILE NO. 32

Arson Reporting Immunity Act.

Sponsored by: Senator ARNEY

A BILL

for

1 AN ACT to create W.S. 6-7-111 through 6-7-113 relating to  
2 arson-reporting; requiring insurers to disclose informa-  
3 tion; providing for release of information; providing  
4 immunity; providing for confidentiality of information;  
5 and providing for an effective date.

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

7 Section 1. W.S. 6-7-111 through 6-7-113 are created  
8 to read:

9 6-7-111. Title and definitions.

1           (a) This act may be cited as the "Arson Reporting  
2 Immunity Act".

3           (b) As used in this act:

4                 (i) "Authorized agency" means any of the  
5 following agencies or officials when authorized or  
6 required to investigate or prosecute alleged arson:

7                         (A) The state fire marshal or his desig-  
8 nee;

9                         (B) A county and prosecuting attorney;

10                        (C) The attorney general or his desig-  
11 nee;

12                        (D) A fire department;

13                        (E) A county sheriff's department or  
14 municipal police department;

15                        (F) The federal bureau of investigation  
16 or any other federal agency;

17                        (G) The United States attorney's office;

18 and

19                        (H) The state insurance commissioner or

1 his designee.

2 (ii) "This act" means W.S. 6-7-111 through  
3 6-7-113.

4 6-7-112. Information provided by insurers; release  
5 of information; immunity.

6 (a) Upon receipt of a written request from an  
7 authorized agency, an insurance company shall release to  
8 the authorized agency all information requested by the  
9 agency relating to a fire loss. The information may  
10 include:

11 (i) The application for the policy;

12 (ii) Insurance policy information relevant to  
13 the fire loss;

14 (iii) Policy premium payment records;

15 (iv) The insured's history of claims under the  
16 policy; and

17 (v) Material from an investigation of the  
18 loss, including statements, proof of loss and other rele-  
19 vant information.

20 (b) An insurance company which has reason to believe

1 a fire loss was caused by other than accident shall notify  
2 an authorized agency in writing and provide all informa-  
3 tion developed in the company's inquiry into the fire  
4 loss. Notice to any authorized agency is sufficient  
5 notice under this act.

6 (c) An authorized agency may release information  
7 obtained pursuant to subsections (a) and (b) of this  
8 section to any other authorized agency.

9 (d) An insurance company which provided information  
10 to an authorized agency pursuant to subsections (a) and  
11 (b) of this section may request relevant information from  
12 the agency. Within a reasonable time, the agency may pro-  
13 vide the requested information.

14 (e) Any insurance company or person acting in its  
15 behalf or authorized agency who releases information,  
16 whether oral or written, shall be immune from any liabil-  
17 ity arising out of a civil action or penalty resulting  
18 from a criminal prosecution which occurs incident to the  
19 release of the information unless malice can be shown.

20 6-7-113. Information to be held in confidence. An  
21 authorized agency or insurance company which receives  
22 information pursuant to this act shall hold the informa-

1    tion in confidence except when release is authorized by  
2    the source of the information, by this act or by a court  
3    of competent jurisdiction.

4           Section 2. This act is effective immediately upon  
5    completion of all acts necessary for a bill to become law  
6    as provided by Article 4, Section 8 of the Wyoming Con-  
7    stitution.

8

(END)

SF32HW1/A

TO ENGROSSED COPY

Kw 2-19-81

Page 4-line 19

After "unless" insert "willful misstatement, attempted duress or". -URBIGKIT

ADOPTED

SF32H21/A

TO ENGROSSED COPY

Kw 2-20-81

Page 4-line 2

After "and" insert "upon request".

Page 4-line 6

After "may" insert "upon request".

Page 4-line 12

Delete first "the" insert "an authorized"; after second "the" insert "authorized".  
-EDWARDS

ADOPTED

# THE LEGISLATURE OF THE STATE OF WYOMING

## House of Representatives

Cheyenne, ..... February 18 ....., 19 21 .....

Mr. Speaker:

Your Committee No. .... 7 ..... on Corporations, Elections & Political Subdivisions  
to whom was referred... Senate File... No. .... 113-A Engrossed .....  
respectfully reports same back to the House with the recommendation that it DO PASS.

AYES

NOES

EXCUSED

Curry  
Jensen  
Kinnison  
Meenan  
Roth  
Shreve  
Vinich  
Stauffer

0

MacMillan

.....  
*Oliver H. ...*  
Chairman

House of Intro  
 \_\_\_\_\_ To Com No. \_\_\_\_\_  
 \_\_\_\_\_ Stand Report Do \_\_\_\_\_ Amd \_\_\_\_\_ Not \_\_\_\_\_  
 \_\_\_\_\_ Com Whole Do \_\_\_\_\_ Amd \_\_\_\_\_ Not \_\_\_\_\_  
 \_\_\_\_\_ 2nd Reading Amd \_\_\_\_\_  
 \_\_\_\_\_ 3rd Reading Amd \_\_\_\_\_ Pass \_\_\_\_\_ Fail \_\_\_\_\_

Second House  
 \_\_\_\_\_ To Com No. \_\_\_\_\_  
 \_\_\_\_\_ Stand Report Do \_\_\_\_\_ Amd \_\_\_\_\_ Not \_\_\_\_\_  
 \_\_\_\_\_ Com Whole Do \_\_\_\_\_ Amd \_\_\_\_\_ Not \_\_\_\_\_  
 \_\_\_\_\_ 2nd Reading Amd \_\_\_\_\_  
 \_\_\_\_\_ 3rd Reading Amd \_\_\_\_\_ Pass \_\_\_\_\_ Fail \_\_\_\_\_

**INTRODUCED**

1981

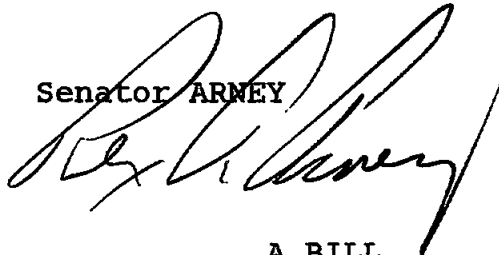
STATE OF WYOMING

81LSO-187.01

SENATE FILE NO. 32

Arson Reporting Immunity Act.

Sponsored by:

Senator ARNEY  


A BILL

for

1 AN ACT to create W.S. 6-7-111 through 6-7-114 relating to  
 2 arson-reporting; requiring insurers to disclose informa-  
 3 tion; providing for release of information; providing  
 4 immunity; imposing penalties for unlawful disclosure;  
 5 allowing agencies to testify; and providing for an effec-  
 6 tive date.

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

8 Section 1. W.S. 6-7-111 through 6-7-114 are created  
 9 to read:

10 6-7-111. Title and definitions.

1           (a) This act may be cited as the "Arson Reporting  
2 Immunity Act".

3           (b) As used in this act:

4                   (i) "Authorized agency" means any of the  
5 following agencies or officials when authorized or  
6 required to investigate or prosecute alleged arson:

7                           (A) The state fire marshal or his desig-  
8 nee;

9                           (B) A county and prosecuting attorney;

10                           (C) The attorney general or his desig-  
11 nee;

12                           (D) A fire department;

13                           (E) A county sheriff's department or  
14 municipal police department;

15                           (F) The federal bureau of investigation;  
16 and

17                           (G) The United States attorney's office.

18                   (ii) "Deemed important" means material which  
19 has been requested by the authorized agency;

1           (iii) "Relevant" means having a tendency to  
2 make the existence of a fact which is of consequence to  
3 the investigation or the determination of an issue more  
4 probable than it would be without the evidence;

5           (iv) "This act" means W.S. 6-7-111 through  
6 6-7-114.

7           6-7-112. Information provided by insurers; release  
8 of information; immunity.

9           (a) Upon receipt of a written request from an  
10 authorized agency, an insurance company shall release to  
11 the authorized agency all information deemed important  
12 which the company possesses relating to a fire loss. The  
13 information may include:

14           (i) The application for the policy;

15           (ii) Insurance policy information relevant to  
16 the fire loss;

17           (iii) Policy premium payment records;

18           (iv) The insured's history of claims under the  
19 policy; and

20           (v) Material from an investigation of the

1 loss, including statements, proof of loss and other rele-  
2 vant information.

3 (b) An insurance company which has reason to believe  
4 a fire loss in which it has an interest was caused by  
5 other than accident shall notify an authorized agency in  
6 writing and provide all information developed in the  
7 company's inquiry into the fire loss. Notice to any  
8 authorized agency is sufficient notice under this act.

9 (c) An authorized agency may release information  
10 obtained pursuant to subsections (a) and (b) of this  
11 section to any other authorized agency.

12 (d) An insurance company which provided information  
13 to an authorized agency pursuant to subsections (a) and  
14 (b) of this section may request relevant information from  
15 the agency. Within a reasonable time, the agency shall  
16 provide the requested information.

17 (e) An insurance company which releases information  
18 pursuant to this section is immune from civil or criminal  
19 liability for the release unless actual malice can be  
20 shown.

21 6-7-113. Information to be held in confidence; pen-  
22 alty.



FISCAL NOTE

Anticipated REVENUE to:	Fiscal Year 19	Fiscal Year 19
TOTAL ESTIMATED REVENUE		
Anticipated COST to:	Fiscal Year 19	Fiscal Year 19
TOTAL ESTIMATED COST		

No apparent fiscal or personnel impact.

/SF32SS1/A

- ✓ Page 1-line 1 Delete "6-7-114" and insert "6-7-113".  
 ✓ Page 1-line 4 Delete "imposing penalties for unlawful disclosure" and insert "providing for confidentiality of information".  
 ✓ Page 1-line 5 Delete "allowing agencies to testify".  
 ✓ Page 1-line 8 Delete "6-7-114" and insert "6-7-113".  
 ✓ Page 2-line 15 After "investigation" insert "or any other federal agency".  
 ✓ Page 2-line 16 Delete "and".  
 ✓ Page 2-line 17 Delete the period and insert "; and (H) The state insurance commissioner or his designee."  
 ✓ Page 2-lines 18 and 19 Delete entirely.  
 ✓ Page 3-lines 1 through 4 Delete entirely.  
 ✓ Page 3-line 5 Delete "(iv)" and insert "(ii)".  
 ✓ Page 3-line 6 Delete "6-7-114" and insert "6-7-113".  
 ✓ Page 3-line 11 Delete "deemed important" and insert "requested by the agency".  
 ✓ Page 3-line 12 Delete "which the company possesses".  
 ✓ Page 4-line 4 Delete "in which it has an interest".  
 ✓ Page 4-line 15 Delete "shall" and insert "may".  
 ✓ Page 4-lines 17 through 20 Delete entirely and insert:  
 (e) Any insurance company or person acting in its behalf or authorized agency who releases information, whether oral or written, shall be immune from any liability arising out of a civil action or penalty resulting from a criminal prosecution which occurs incident to the release of the information unless malice can be shown.  
 ✓ Page 4-line 21 Delete "; pen-" and insert a period.  
 ✓ Page 4-line 22 Delete "alty.".  
 ✓ Page 5-line 1 Delete "(a)".  
 ✓ Page 5-line 4 After "ized" insert "by the source of the information,"; delete "required".  
 ✓ Page 5-lines 6 through 12 Delete entirely. -ARNEY
-