

Recd  
# 10

10 LAB 012  
96 LSO-0353

# HOUSE BILL 0077

HOUSE BILL 0077

HB0077

AN ACT relating to solicitation of employment; prohibiting specified solicitations; providing definitions; providing a penalty; providing for return of fees; and providing for an effective date.

Introduced by: Long Ross.

## HOUSE ACTION ON HOUSE BILL

2/22 [X] Introduced  
Aye 49 No 10 Ex 0 Ab 1  
[X] Read First Time and Ref. to  
Committee No. 10  
[ ] Failed Introduction  
Aye      No      Ex      Ab       
2/29 Returned from Committee No. 10  
with Recommendation:  
[ ] Do Pass; [X] Amend & Do  
Pass; [ ] Do Not Pass;  
[ ] W/O Recomm; [ ] Re-Refer to  
Committee No.       
     Re-referred to Committee No.       
     Returned from Committee No.       
with Recommendation:  
[ ] Do Pass; [ ] Amend & Do  
Pass; [ ] Do Not Pass;  
[ ] W/O Recomm; [ ] Re-Refer to  
Committee No.       
3/1 Considered in Comm. of Whole  
[X] Amended  
[X] Recommended Do Pass  
[ ] Failed Comm. of Whole  
[ ] Indefinitely Postponed  
[ ] Other:       
3/4 Read Second Time  
[ ] Amended  
[X] Do Pass  
[ ] Do Not Pass  
[X] Accelerated to 3rd Rdg.  
3/4 Read Third Time  
[ ] Amended  
[X] Passed [ ] Failed  
Aye 57 No 3 Ex 0 Ab 0  
[ ] Held for Reconsideration  
     Motion to Reconsider  
[ ] Passed [ ] Failed  
Aye      No      Ex      Ab       
     Third Reading Vote  
(On Reconsideration)  
[ ] Passed [ ] Failed  
Aye      No      Ex      Ab       
     Sent to Senate (No Amendments)  
3/4 Sent to LSO for Engrossing  
3/4 ENGROSSED  
3/5 Sent to Senate

## SENATE ACTION ON HOUSE BILL

3/5 Received. Read First Time.  
Referred to Committee No. 10  
3/8 Returned from Committee No. 10  
with Recommendation:  
[ ] Do Pass; [X] Amend & Do  
Pass; [ ] Do Not Pass;  
[ ] W/O Recomm; [ ] Re-Refer to  
Committee No.       
     Re-referred to Committee No.       
     Returned from Committee No.       
with Recommendation:  
[ ] Do Pass; [ ] Amend & Do  
Pass; [ ] Do Not Pass;  
[ ] W/O Recomm; [ ] Re-Refer to  
Committee No.       
3/12 Considered in Comm. of Whole  
[ ] Amended  
[ ] Recommended Do Pass  
[X] Failed Comm. of Whole 7-23-0-0  
[ ] Indefinitely Postponed  
[ ] Other:       
     Read Second Time  
[ ] Amended  
[ ] Do Pass  
[ ] Do Not Pass  
[ ] Accelerated to 3rd Rdg.  
     Read Third Time  
[ ] Amended  
[ ] Passed [ ] Failed  
Aye      No      Ex      Ab       
[ ] Held for Reconsideration  
     Motion to Reconsider  
[ ] Passed [ ] Failed  
Aye      No      Ex      Ab       
     Third Reading Vote  
(On Reconsideration)  
[ ] Passed [ ] Failed  
Aye      No      Ex      Ab       
3/12 Sent to House  
     Sent for Enrolling  
HEA No.       
     Signed by Speaker  
     Signed by President  
     Approved by Governor  
Chapter No.

*Rep Henchey Citing House Rule  
26-2 moved HBs 11, 48, 72, 77, 97, 107, 112A  
115, 118, 125, 128A, 137, 140, 143, 146, 148, 149  
be considered on third reading.*

FIFTY-THIRD WYOMING STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
BUDGET SESSION  
1996

SEQUENCE : 4161

MARCH 4 1996

BILL : SEE ATTACHED LIST

10:20 AM

AMENDMENT:

MOVED BY : SECONDED BY:

TITLE : ACCELERATION TO THIRD READING

ACTION : SUSPENSION OF RULES

FIFTY-THIRD WYOMING STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
BUDGET SESSION  
1996

SEQUENCE : 4161

MARCH 4 1996

BILL : SEE ATTACHED LIST  
AMENDMENT:

10:20 AM

MOVED BY :    SECONDED BY:  
TITLE : ACCELERATION TO THIRD READING

**ACTION : SUSPENSION OF RULES**

ANDERSON.....	A	
BADGETT.....	A	
BAKER.....		N
BARKER.....	A	
BEBOUT.....	A	
BENSEL.....	A	
BETTS.....	A	
BOSWELL.....	A	
BOWRON.....	A	
BURNS.....	A	
CASE.....		N
DEVIN.....	A	
DEWITT.....	A	
DIERCKS.....	A	
ERB.....	A	
EYRE.....	A	
GAMS.....	A	
GARCIA.....	A	
HAGEMAN.....	A	
HANES.....	A	
HARRISON.....	A	
HINCHEY.....	A	
HINES.....		N
HUCKFELDT.....	A	
JOHNSON.....	A	
LAW.....	A	
LUTHI.....	A	
MACMILLAN.....	A	
MASSIE.....	A	
MCCONIGLEY.....	A	

MCMURTREY.....	A	
MOCKLER.....		N
MOORE.....	A	
MORROW.....	A	
NAGEL.....	A	
NELSON.....	A	
PARADY.....	A	
PARK.....	A	
PASENEAUX.....	A	
PERKINS.....	A	
PHILP.....	A	
REED.....	A	
ROSE.....	A	
ROSS.....	A	
RYCKMAN.....		N
SELBY.....	A	
SESSIONS.....		N
SHIPPY.....	A	
SHREVE.....	A	
SIMONS.....		N
STAFFORD.....	A	
STARK.....	A	
TAYLOR-HORTON..	A	
TEMPEST.....	A	
TIPTON.....	A	
TOMASSI.....	A	
WASSERBURGER...		N
WILLFORD.....	A	
ZANETTI.....		N
MARTON MR SPKR.	A	

VOTE REQ: 2/3 OF MEMBERSHIP REQUIRED

AYES : 51  
NOES : 9  
EXCUSED : 0  
ABSENT : 0  
CONFLICT: 0

A=AYE N=NO E=EXCUSED  
X=ABSENT C=CONFLICT

**INTRODUCED**

HOUSE BILL NO. HB0077

Unlawful solicitation of employment.

Sponsored by: Representative(s) ROSS and Senator(s) MEIER

A BILL

for

1 AN ACT relating to solicitation of employment; prohibiting  
2 specified solicitations; providing definitions; providing a  
3 penalty; and providing for an effective date.

4

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

6

7 **Section 1.** W.S. 6-6-105 is created to read:

8

9 **6-6-105. Unlawful solicitation; definitions; penalty.**

10

11 (a) As used in this section:

12

13 (i) "Economic benefit" means anything reasonably  
14 regarded as an economic gain or advantage, including  
15 accepting or offering to accept employment for a fee,  
16 accepting or offering to accept a fee, entering into a fee

1 contract or accepting or agreeing to accept money or  
2 anything of value;

3

4 (ii) "Finance" means to provide funds or capital  
5 or to furnish with necessary funds;

6

7 (iii) "Health care services" means any care,  
8 treatment, service or procedure to maintain, diagnose or  
9 treat an individual's physical or mental condition;

10

11 (iv) "Invest funds" means to commit money to earn  
12 a financial return;

13

14 (v) "Member of the family" means anyone related  
15 within the third degree of consanguinity or affinity;

16

17 (vi) "Solicit employment" means to communicate in  
18 person, by telephone or by written communication with a  
19 prospective client or a member of a prospective client's  
20 family concerning a legal matter arising out of a particular  
21 occurrence or event or a series of occurrences or events, or  
22 concerning an existing legal problem of the prospective  
23 client, for the purpose of providing legal representation to  
24 the prospective client, when neither the person receiving  
25 the communication nor anyone acting on that person's behalf

1 has previously requested the communication. The term does  
2 not include a communication initiated by a family member of  
3 the person receiving a communication. The term includes a  
4 communication by an attorney who has a prior or existing  
5 attorney-client relationship with the person receiving the  
6 communication only for the purposes of the prohibition  
7 provided in paragraph (b)(ii) of this section.

8

9 (b) No person shall, with intent to obtain an economic  
10 benefit:

11

12 (i) Knowingly institute a suit or claim which the  
13 person has not been authorized to pursue;

14

15 (ii) If the solicitation concerns an action for  
16 personal injury, wrongful death or otherwise relates to an  
17 accident or disaster involving the person who is the object  
18 of the solicitation or a family member of that person,  
19 solicit employment, as defined in paragraph (a)(vi) of this  
20 section, for himself or another before thirty (30) days  
21 after the date on which the accident or disaster occurred;

22

23 (iii) Pay, give, advance or offer to pay, give,  
24 or advance to a prospective client money or anything of

1 value to obtain legal representation of the prospective  
2 client;

3

4 (iv) Pay, give or offer to pay or give a person  
5 money or anything of value to solicit employment, as defined  
6 in paragraph (a)(vi) of this section; or

7

8 (v) Accept or agree to accept money or anything  
9 of value to solicit employment, as defined in paragraph  
10 (a)(vi) of this section.

11

12 (c) No attorney, person employed by an attorney,  
13 private investigator or any agent retained by an attorney  
14 shall within the jurisdiction of this state, with the intent  
15 to obtain professional employment for himself or for  
16 another, send or knowingly permit to be sent to an  
17 individual who has not previously sought that person's  
18 employment, legal representation or advice a written  
19 communication that:

20

21 (i) Concerns a specific matter relating to legal  
22 representation and the person knows or reasonably should  
23 know that the person to whom the communication is directed  
24 is represented by a lawyer in the matter;

25

1           (ii) Concerns a lawsuit of any kind in which the  
2 person to whom the communication is addressed is a defendant  
3 or a family member of the defendant, unless the lawsuit has  
4 been filed for more than thirty (30) days before the date on  
5 which the communication was mailed;

6

7           (iii) Is sent or permitted to be sent to an  
8 injured person whom the sender knew or reasonably should  
9 have known, had indicated a desire not to be contacted by or  
10 receive communications concerning employment;

11

12           (iv) Involves coercion, duress, fraud,  
13 overreaching, harassment, intimidation or undue influence;  
14 or

15

16           (v) Contains a false, fraudulent, misleading,  
17 deceptive or unfair statement or claim.

18

19           (d) No attorney, person employed by an attorney,  
20 private investigator or any agent retained by an attorney,  
21 nor any person licensed, certified or registered to provide  
22 health care services by an agency of this state or any other  
23 jurisdiction shall knowingly within the jurisdiction of this  
24 state:

25



1           (i) Finance or invest funds the person knows or  
2 believes are intended to further the commission of an  
3 offense under subsection (b) of this section; or

4

5           (ii) Accept employment within the scope of the  
6 person's license, registration or certification that results  
7 from the solicitation of employment, as defined in paragraph  
8 (a)(vi) of this section, in violation of subsection (b) of  
9 this section.

10

11          (e) Nothing in this section shall be construed to  
12 prohibit conduct which is authorized by rule of the Wyoming  
13 supreme court.

14

15          (f) Any person who violates this section is guilty of  
16 a misdemeanor punishable by a fine of seven hundred fifty  
17 dollars (\$750.00) or all fees received as a result of the  
18 solicitation, whichever is greater, and imprisonment not to  
19 exceed six (6) months, or both.

20

21       **Section 2.** This act is effective July 1, 1996.

22

23

(END)

Unlawful solicitation of  
employment.

96LSO-0353.L2

FISCAL NOTE

No fiscal or personnel impact.

HB 77

FIFTY-THIRD WYOMING STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
BUDGET SESSION  
1996

SEQUENCE : 4056

FEBRUARY 22 1996

BILL : HB0077

10:11 AM

AMENDMENT:

MOVED BY : ROSS

SECONDED BY:

TITLE :

ACTION : TO INTRODUCE

ANDERSON.....	A	MCMURTREY.....	A	
BADGETT.....	A	MOCKLER.....	A	
BAKER.....	A	MOORE.....		X
BARKER.....	A	MORROW.....	A	
BEBOUT.....	A	NAGEL.....	A	
BENSEL.....	A	NELSON.....		N
BETTS.....	A	PARADY.....	A	
BOSWELL.....	A	PARK.....	A	
BOWRON.....	N	PASENEAUX.....		N
BURNS.....	A	PERKINS.....		N
CASE.....	N	PHILP.....		N
DEVIN.....	A	REED.....	A	
DEWITT.....	A	ROSE.....	A	
DIERCKS.....	A	ROSS.....	A	
ERB.....	N	RYCKMAN.....	A	
EYRE.....	N	SELBY.....	A	
GAMS.....	A	SESSIONS.....	A	
GARCIA.....	A	SHIPPY.....	A	
HAGEMAN.....	A	SHREVE.....	A	
HANES.....	A	SIMONS.....	A	
HARRISON.....	A	STAFFORD.....	A	
HINCHEY.....	N	STARK.....	A	
HINES.....	A	TAYLOR-HORTON..	A	
HUCKFELDT.....	N	TEMPEST.....	A	
JOHNSON.....	A	TIPTON.....	A	
LAW.....	A	TOMASSI.....	A	
LUTHI.....	A	WASSERBURGER...	A	
MACMILLAN.....	A	WILFORD.....	A	
MASSIE.....	A	ZANETTI.....	A	
MCCONIGLEY.....	A	MARTON MR SPKR.	A	

VOTE REQ: 2/3 OF MEMBERSHIP REQUIRED

AYES : 49

NOES : 10

EXCUSED : 0

ABSENT : 1

CONFLICT: 0

A=AYE N=NO E=EXCUSED  
X=ABSENT C=CONFLICT

## THE LEGISLATURE OF THE STATE OF WYOMING

## House of Representatives

Cheyenne, February 23, 1996

Mr. Speaker:

Your Committee No. 10 on LABOR, HEALTH & SOCIAL SERVICES to whom was referred HB0077 respectfully reports same back to the House with the recommendation that it DO PASS with the following amendment(s): (SEE SCHEDULE A)

<u>MEMBER</u>	<u>VOTE</u>
Devin	Aye
Erb	Aye
Huckfeldt	Aye
McMurtrey	Aye
Morrow	Aye
Shippy	Aye
Willford	Aye
Zanetti	Aye
Perkins	Aye

..........  
Chairman

BILL JACKET

C

- 1 Page 1-line 3 ✓ After ";" insert "providing for return of  
2 fees;".  
3  
4 Page 6-line 17 ✓ After "(\$750.0)" delete balance of line.  
5  
6 Page 6-line 18 ✓ Delete the line through "greater,".  
7  
8 Page 6-line 19 ✓ After "." insert "In addition to the fine and  
9 imprisonment provided in this subsection the  
10 court may order any person convicted of  
11 violating this section to pay any fees  
12 received as a result of the solicitation to  
13 the person solicited.". ROSS, HUCKFELDT

FIFTY-THIRD WYOMING STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
BUDGET SESSION  
1996

SEQUENCE : 4162

MARCH 4 1996

BILL : 3RD READING CONSENT  
AMENDMENT:

10:46 AM

MOVED BY :  
TITLE :

SECONDED BY:

ACTION : THIRD READING CONSENT LIST (ATTACHED)

ANDERSON.....	A	MCMURTREY.....	A
BADGETT.....	A	MOCKLER.....	A
BAKER.....	A	MOORE.....	A
BARKER.....	A	MORROW.....	A
BEBOUT.....	A	NAGEL.....	A
BENSEL.....	A	NELSON.....	A
BETTS.....	A	PARADY.....	A
BOSWELL.....	A	PARK.....	A
BOWRON.....	A	PASENEAUX.....	A
BURNS.....	A	PERKINS.....	A
CASE.....	A	PHILP.....	A
DEVIN.....	A	REED.....	A
DEWITT.....	A	ROSE.....	A
DIERCKS.....	A	ROSS.....	A
ERB.....	A	RYCKMAN.....	A
EYRE.....	A	SELBY.....	A
GAMS.....	A	SESSIONS.....	A
GARCIA.....	A	SHIPPY.....	A
HAGEMAN.....	A	SHREVE.....	A
HANES.....	A	SIMONS.....	A
HARRISON.....	A	STAFFORD.....	A
HINCHEY.....	A	STARK.....	A
HINES.....	A	TAYLOR-HORTON..	A
HUCKFELDT.....	A	TEMPEST.....	A
JOHNSON.....	A	TIPTON.....	A
LAW.....	A	TOMASSI.....	A
LUTHI.....	A	WASSERBURGER...	A
MACMILLAN.....	A	WILLFORD.....	A
MASSIE.....	A	ZANETTI.....	A
MCCONIGLEY.....	A	MARTON MR SPKR.	A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 60  
NOES : 0  
EXCUSED : 0  
ABSENT : 0  
CONFLICT: 0

A=AYE N=NO E=EXCUSED  
X=ABSENT C=CONFLICT

FIFTY-THIRD WYOMING STATE LEGISLATURE  
HOUSE OF REPRESENTATIVES  
BUDGET SESSION  
1996

SEQUENCE : 4166

MARCH 4 1996

BILL : HB0077  
AMENDMENT:

10:49 AM

MOVED BY :  
TITLE :

SECONDED BY:

ACTION : THIRD READING CONSENT LIST (ATTACHED)

ANDERSON.....	A	MCMURTREY.....	A
BADGETT.....	A	MOCKLER.....	N
BAKER.....	A	MOORE.....	A
BARKER.....	A	MORROW.....	N
BEBOUT.....	A	NAGEL.....	A
BENSEL.....	A	NELSON.....	A
BETTS.....	A	PARADY.....	A
BOSWELL.....	A	PARK.....	A
BOWRON.....	A	PASENEAUX.....	A
BURNS.....	A	PERKINS.....	A
CASE.....	A	PHILP.....	A
DEVIN.....	A	REED.....	A
DEWITT.....	A	ROSE.....	A
DIERCKS.....	A	ROSS.....	A
ERB.....	A	RYCKMAN.....	A
EYRE.....	A	SELBY.....	A
GAMS.....	A	SESSIONS.....	N
GARCIA.....	A	SHIPPY.....	A
HAGEMAN.....	A	SHREVE.....	A
HANES.....	A	SIMONS.....	A
HARRISON.....	A	STAFFORD.....	A
HINCHEY.....	A	STARK.....	A
HINES.....	A	TAYLOR-HORTON..	A
HUCKFELDT.....	A	TEMPEST.....	A
JOHNSON.....	A	TIPTON.....	A
LAW.....	A	TOMASSI.....	A
LUTHI.....	A	WASSERBURGER...	A
MACMILLAN.....	A	WILLFORD.....	A
MASSIE.....	A	ZANETTI.....	A
MCCONIGLEY.....	A	MARTON MR SPKR.	A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 57  
NOES : 3  
EXCUSED : 0  
ABSENT : 0  
CONFLICT: 0

A=AYE N=NO E=EXCUSED  
X=ABSENT C=CONFLICT

## HOUSE BILL NO. HB0077

Unlawful solicitation of employment.

Sponsored by: Representative(s) ROSS and Senator(s) MEIER

## A BILL

for

1 AN ACT relating to solicitation of employment; prohibiting  
2 specified solicitations; providing definitions; providing a  
3 penalty; providing for return of fees; and providing for an  
4 effective date.

5

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

7

8 **Section 1.** W.S. 6-6-105 is created to read:

9

10 **6-6-105. Unlawful solicitation; definitions; penalty.**

11

12 (a) As used in this section:

13

14 (i) "Economic benefit" means anything reasonably  
15 regarded as an economic gain or advantage, including  
16 accepting or offering to accept employment for a fee,  
17 accepting or offering to accept a fee, entering into a fee



1 contract or accepting or agreeing to accept money or  
2 anything of value;

3

4 (ii) "Finance" means to provide funds or capital  
5 or to furnish with necessary funds;

6

7 (iii) "Health care services" means any care,  
8 treatment, service or procedure to maintain, diagnose or  
9 treat an individual's physical or mental condition;

10

11 (iv) "Invest funds" means to commit money to earn  
12 a financial return;

13

14 (v) "Member of the family" means anyone related  
15 within the third degree of consanguinity or affinity;

16

17 (vi) "Solicit employment" means to communicate in  
18 person, by telephone or by written communication with a  
19 prospective client or a member of a prospective client's  
20 family concerning a legal matter arising out of a particular  
21 occurrence or event or a series of occurrences or events, or  
22 concerning an existing legal problem of the prospective  
23 client, for the purpose of providing legal representation to  
24 the prospective client, when neither the person receiving  
25 the communication nor anyone acting on that person's behalf

1 has previously requested the communication. The term does  
2 not include a communication initiated by a family member of  
3 the person receiving a communication. The term includes a  
4 communication by an attorney who has a prior or existing  
5 attorney-client relationship with the person receiving the  
6 communication only for the purposes of the prohibition  
7 provided in paragraph (b)(ii) of this section.

8

9 (b) No person shall, with intent to obtain an economic  
10 benefit:

11

12 (i) Knowingly institute a suit or claim which the  
13 person has not been authorized to pursue;

14

15 (ii) If the solicitation concerns an action for  
16 personal injury, wrongful death or otherwise relates to an  
17 accident or disaster involving the person who is the object  
18 of the solicitation or a family member of that person,  
19 solicit employment, as defined in paragraph (a)(vi) of this  
20 section, for himself or another before thirty (30) days  
21 after the date on which the accident or disaster occurred;

22

23 (iii) Pay, give, advance or offer to pay, give,  
24 or advance to a prospective client money or anything of

1 value to obtain legal representation of the prospective  
2 client;

3

4 (iv) Pay, give or offer to pay or give a person  
5 money or anything of value to solicit employment, as defined  
6 in paragraph (a)(vi) of this section; or

7

8 (v) Accept or agree to accept money or anything  
9 of value to solicit employment, as defined in paragraph  
10 (a)(vi) of this section.

11

12 (c) No attorney, person employed by an attorney,  
13 private investigator or any agent retained by an attorney  
14 shall within the jurisdiction of this state, with the intent  
15 to obtain professional employment for himself or for  
16 another, send or knowingly permit to be sent to an  
17 individual who has not previously sought that person's  
18 employment, legal representation or advice a written  
19 communication that:

20

21 (i) Concerns a specific matter relating to legal  
22 representation and the person knows or reasonably should  
23 know that the person to whom the communication is directed  
24 is represented by a lawyer in the matter;

25

1           (ii) Concerns a lawsuit of any kind in which the  
2 person to whom the communication is addressed is a defendant  
3 or a family member of the defendant, unless the lawsuit has  
4 been filed for more than thirty (30) days before the date on  
5 which the communication was mailed;

6  
7           (iii) Is sent or permitted to be sent to an  
8 injured person whom the sender knew or reasonably should  
9 have known, had indicated a desire not to be contacted by or  
10 receive communications concerning employment;

11  
12           (iv) Involves coercion, duress, fraud,  
13 overreaching, harassment, intimidation or undue influence;  
14 or

15  
16           (v) Contains a false, fraudulent, misleading,  
17 deceptive or unfair statement or claim.

18  
19           (d) No attorney, person employed by an attorney,  
20 private investigator or any agent retained by an attorney,  
21 nor any person licensed, certified or registered to provide  
22 health care services by an agency of this state or any other  
23 jurisdiction shall knowingly within the jurisdiction of this  
24 state:

25

1           (i) Finance or invest funds the person knows or  
2 believes are intended to further the commission of an  
3 offense under subsection (b) of this section; or

4  
5           (ii) Accept employment within the scope of the  
6 person's license, registration or certification that results  
7 from the solicitation of employment, as defined in paragraph  
8 (a)(vi) of this section, in violation of subsection (b) of  
9 this section.

10  
11          (e) Nothing in this section shall be construed to  
12 prohibit conduct which is authorized by rule of the Wyoming  
13 supreme court.

14  
15          (f) Any person who violates this section is guilty of  
16 a misdemeanor punishable by a fine of seven hundred fifty  
17 dollars (\$750.00) and imprisonment not to exceed six (6)  
18 months, or both. In addition to the fine and imprisonment  
19 provided in this subsection the court may order any person  
20 convicted of violating this section to pay any fees received  
21 as a result of the solicitation to the person solicited.

22  
23       **Section 2.** This act is effective July 1, 1996.

24  
25                               (END)

## THE LEGISLATURE OF THE STATE OF WYOMING

## Senate

Cheyenne, March 8, 1996

Mr. President:

Your Committee No. 10 on LABOR, HEALTH & SOCIAL SERVICES to whom was referred HB077ENG respectfully reports same back to the Senate with the recommendation that it DO PASS with the following amendment(s): (SEE SCHEDULE A)

MEMBERVOTE

Senator Scott  
Senator Enzi  
Senator Meier  
Senator Cathcart  
Senator Sarcletti

AYE  
AYE  
AYE  
NO  
NO

*15/ Scott* .....  
Chairman

BILL JACKET

# Schedule A

HB0077SS001

[TO ENGROSSED COPY]

1 Page 3-line 3 After "communication." insert "The term does  
2 not include a communication by any person or  
3 organization under existing contract to  
4 provide legal services to the injured person  
5 or organization to which the injured person  
6 is a member at the time of an accident.";   
7 after "term" delete "includes" insert "does  
8 not include".  
9  
10 Page 3-line 4 Delete "a prior or" insert "an".  
11  
12 Page 3-line 6 After "communication" insert "." and delete  
13 balance of line.  
14  
15 Page 3-line 7 Delete.  
16  
17 Page 3-line 9 After "(b)" insert "Except as provided by  
18 subsection (c) of this section,"; delete  
19 "person" insert "attorney, person employed by  
20 an attorney, private investigator or any  
21 agent retained by an attorney".  
22  
23 Page 4-After line 10 insert and renumber as necessary:  
24  
25 "(c) Notwithstanding subsection (b) of this section, an  
26 attorney may provide an initial consultation free of charge  
27 before entering into any contract with a client, provided the  
28 consultation does not commit the prospective client to employ  
29 that attorney or prohibit the prospective client from employing a  
30 different attorney."  
31  
32 Page 4-lines 21 through 24 Delete and renumber as necessary.  
33  
34 Page 5-line 13 Delete "overreaching,".  
35  
36 Page 5-line 16 After "misleading" delete "," insert "or".  
37  
38 Page 5-line 17 Delete "or unfair".  
39  
40 Page 6-lines 11 through 13 Delete and renumber as necessary.  
41  
42 Page 6-line 16 Delete "seven hundred fifty" and insert "not  
43 to exceed".  
44  
45 Page 6-line 17 Delete "dollars (\$750.00)" insert "one  
46 thousand dollars (\$1,000.00)".

1  
2 Page 6-line 21 Delete "person solicited" and insert "common  
3 school fund". SCOTT, CHAIRMAN

*me*



## [TO ENGROSSED COPY]

1 Page 3-line 3 After "communication." insert "The term does  
2 not include a communication by any person or  
3 organization under existing contract to  
4 provide legal services to the injured person  
5 or organization to which the injured person  
6 is a member at the time of an accident.";  
7 after "term" delete "includes" insert "does  
8 not include".  
9

10 Page 3-line 4 Delete "a prior or" insert "an".  
11

12 Page 3-line 6 After "communication" insert "." and delete  
13 balance of line.  
14

15 Page 3-line 7 Delete.  
16

17 Page 3-line 9 After "(b)" insert "Except as provided by  
18 subsection (c) of this section,"; delete  
19 "person" insert "attorney, person employed by  
20 an attorney, private investigator or any  
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mlq

53RD WYOMING STATE LEGISLATURE  
BUDGET SESSION 1996

SENATE

SEQUENCE : 328

MARCH 12 1996

BILL : HB0077  
AMENDMENT:

5:27 PM

MOVED BY :  
TITLE :  
SECONDED BY:

ACTION : COMMITTEE OF THE WHOLE

APPLEGATE.....	N
BARTON.....	N
CAMERON.....	N
CATHCART.....	N
COE.....	N
ENZI.....	A
GEIS.....	N
GILBERTZ.....	N
GOODENOUGH.....	N
GRIEVE.....	A
HARRIS.....	N
HAWKS.....	N
KINNISON.....	A
KUNZ.....	N
LARSON.....	N
LAWLER.....	N
MAXFIELD.....	N
MEIER.....	A
MILLER.....	N
PECK.....	N
PHILLIPS.....	N
PICARD.....	N
PREVEDEL.....	N
SARCLETTI.....	N
SCHIFFER.....	A
SCOTT.....	A
TWIFORD.....	A
VINICH.....	N
ZIMMERMAN.....	N
EDDINS MR PRES.	N

VOTE REQ: MAJORITY OF QUORUM REQUIRED

AYES : 7  
NOES : 23  
EXCUSED : 0  
ABSENT : 0  
CONFLICT: 0

A=AYE N=NO E=EXCUSED  
X=ABSENT C=CONFLICT

AMENDMENT LIST

DATE 3-12-96

BILL NO. HB 77

Circle One: COW 2nd 3rd

HB 0077 SS001/AE Scott

HB0077HW001/w

Page 3-line 3

After "communication" insert "or initiated by  
any association or organization of which the  
person is a member, or any attorney or  
representative of the attorney who is  
designated by the association or  
organization". MORROW

C

Page 6-lines 15 through 19 Delete and insert:

"(f) Any person who violates this section is guilty of a misdemeanor punishable by a fine not to exceed seven hundred fifty dollars (\$750.00), imprisonment not to exceed six (6) months and all fees received as a result of the solicitation shall be deposited in the Crime Victims Compensation Fund of the State of Wyoming." PERKINS, CHAIRMAN