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**HOUSE BILL** 2021

**HOUSE BILL** *2277*

Introduced by: Richard H. Horn

[illegible]

**CONTINUED ON BACK**

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

**INTRODUCED**

1987

STATE OF WYOMING

87LSO-0661.01

HOUSE BILL NO. 0277

Worker's compensation-third party suits.

Sponsored by: Representative(s) HONAKER

A BILL

for

1 AN ACT to amend W.S. 27-14-105(b) as enacted by Chapter 3,  
 2 Wyoming Session Laws, 1986 Special Session relating to  
 3 worker's compensation; eliminating the provision that  
 4 serving the complaint upon the director and attorney gen-  
 5 eral is a jurisdictional requirement in any action by an  
 6 injured employee against a third party; and providing for  
 7 an effective date.

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

9 Section 1. W.S. 27-14-105(b) as enacted by Chapter  
 10 3, Wyoming Session Laws, 1986 Special Session is amended

- 1 -

**NO SIGNIFICANT FISCAL IMPACT**

HB 0277

1 to read:

2 27-14-105. Person other than employer legally liable  
3 for damages; reimbursement to state; notification of  
4 recovery; right of subrogation in state; penalty for fail-  
5 ure to provide notice.

6 (b) The director and the attorney general shall be  
7 served by certified mail return receipt requested with a  
8 copy of the complaint filed in any suit initiated pursuant  
9 to subsection (a) of this section. ~~Service-of-the-com-~~  
10 ~~plaint-on-the-director-and-attorney-general-is-a-jurisdic-~~  
11 ~~tional-requirement--in-order-to-maintain--the--suit.~~ The  
12 director and the attorney general shall be notified in  
13 writing by certified mail return receipt requested of any  
14 judgment, compromise, settlement or release entered into  
15 by an employee. If there is a settlement, compromise or  
16 release entered into by the parties in claims against a  
17 person other than the employer, the attorney general rep-  
18 resenting the director shall be made a party in all such  
19 negotiations for settlement, compromise or release. The  
20 attorney general and the director, for purposes of facili-  
21 tating compromise and settlement, may in a proper case  
22 authorize acceptance by the state of less than the state's  
23 claim for reimbursement. The proceeds of any judgment,

1 settlement, compromise or release are encumbered by a con-  
2 tinuing lien in favor of the state to the extent of the  
3 total amount of the state's claim for reimbursement under  
4 this section and for all current and future benefits under  
5 this act. The lien shall remain in effect until the state  
6 is paid the amount authorized under this section. In  
7 addition the person paying the settlement remains liable  
8 to the state for the state's claim unless the state  
9 through the attorney general signs the release prior to  
10 payment of an agreed settlement.

11 Section 2. This act is effective July 1, 1987.

12 (END)