

Chapter 103

## Enrolled Act No. 55, Senate

TWENTY-FIFTH LEGISLATURE OF  
THE STATE OF WYOMING

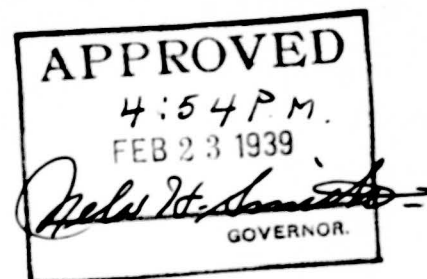
AN ACT amending and re-enacting Section  
124-109, Wyoming Revised Statutes, 1931,  
relating to the remedies of an  
injured workman coming under the  
Workmen's Compensation Act when  
the injury is caused by the wrong-  
ful act of a person other than  
his employer.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WYOMING:

Section 1. That Section 124-109 Wyoming Revised Statutes, 1931, is hereby amended  
and re-enacted to read as follows:

Section 124-109. Where an employee coming under the provisions of this Chapter  
receives an injury under circumstances creating a legal liability in some person other than  
the employer to pay damages in respect thereof, the employee if engaged in extra hazardous  
work for his employer at the time of the injury, shall not be deprived of any compensation  
which he would otherwise receive under this Act. He may also pursue his remedy at law  
against such third person, provided that he shall not be entitled to a double recovery, and  
in the event that such employee recovers from such person, he shall be entitled to retain  
only the excess over any compensation paid to him, and must reimburse the industrial accident  
fund for all moneys advanced to him for such injury, less not to exceed twenty five per cent  
for its share of the costs of such recovery. No settlement of any claim against such third  
person for an amount less than the compensation paid to the injured employee shall be made  
without the written consent of the State Treasurer. In case the injury causes the death of  
the employee, the rights and remedies set forth in this section shall inure to the personal  
representatives of such employee for the benefit of his or her dependents.

Section 2. This Act shall be in full force and effect from and after the date of  
its passage.



A handwritten signature, "H. H. Horton", written in cursive.

President of the Senate

A handwritten signature, "Thomas P. Fowler", written in cursive.

Speaker of the House

I hereby certify that this Act originated in the Senate.

W. A. de Long  
Chief Clerk.