

HOUSE BILL NO. HB0057

Governmental liability for bridge and road defects.

Sponsored by: Representative(s) Ross

A BILL

for

1 AN ACT relating to the Wyoming Governmental Claims Act;  
 2 providing for governmental liability for defects in plans  
 3 and designs relating to bridge and road work; repealing  
 4 corresponding waiver of immunity; specifying applicability;  
 5 and providing for an effective date.

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

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9 **Section 1.** W.S. 1-39-106 is amended to read:

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11 **1-39-106. Liability; buildings, recreation areas and**  
 12 **public parks; liability for bridge and road planning and**  
 13 **design.**

14

15 (a) A governmental entity is liable for damages  
 16 resulting from bodily injury, wrongful death or property  
 17 damage caused by the negligence of public employees while

1 acting within the scope of their duties in the operation or  
2 maintenance of any building, recreation area or public  
3 park.

4  
5 (b) A governmental entity is liable for damages  
6 resulting from bodily injury, wrongful death or property  
7 damage caused by the negligence of public employees while  
8 acting within the scope of their duties in the planning or  
9 designing of a bridge, culvert, highway, roadway, street,  
10 alley, sidewalk or parking area.

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12 **Section 2.** W.S. 1-39-120(a)(i) is repealed.

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14 **Section 3.** This act shall be applicable to causes of  
15 action arising from an act, error or omission of a  
16 governmental entity public employee occurring on or after  
17 the effective date of this act.

18

19 **Section 4.** This act is effective July 1, 2004.

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21

(END)