

HOUSE BILL NO. HB0080

Indemnity for negligent acts.

Sponsored by: Representative(s) Larsen and Greear and
Senator(s) Perkins

A BILL

for

1 AN ACT relating to contractual agreements; amending
2 statutes which limit the enforceability of indemnity
3 agreements as specified; and providing for an effective
4 date.

5

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

7

8 **Section 1.** W.S. 30-1-131(a) (intro), by creating a new
9 paragraph (iv) and by creating a new subsection (b) and
10 30-1-132 are amended to read:

11

12 **30-1-131. Provisions for indemnity in certain**
13 **contracts; invalidity.**

14

1 (a) The following contracts of indemnity which
2 purport to relieve the indemnitee from loss or liability
3 arising from negligent acts are against public policy and
4 are void and unenforceable:

5
6 (iv) All agreements, covenants or promises
7 contained in, collateral to or affecting any ~~agreement~~
8 ~~pertaining to any well for~~ operation related to oil, gas,
9 other minerals, or water, or mine for any mineral, which
10 purport to indemnify the indemnitee against damages, loss
11 or liability: ~~for damages for:~~

12
13 (A) Caused by the sole or concurrent
14 negligence of the indemnitee, the agents or employees of
15 the indemnitee or any independent contractor who is
16 directly responsible to the indemnitee; or

17
18 (B) Which arise from operations carried on
19 at the direction or under the supervision of the
20 indemnitee, his employees or agents or any independent
21 contractor who is directly responsible to the indemnitee.

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1 (b) This provision shall not affect the validity of
 2 any insurance contract or any benefit conferred by the
 3 Worker's Compensation Law of this state.

4
 5 **30-1-132. Provisions for indemnity in certain**
 6 **contracts; definition.**

7
 8 The term ~~"agreement pertaining to any well for oil, gas, or~~
 9 ~~water, or mine for any mineral"~~ "agreements, covenants or
 10 promises contained in, collateral to or affecting any
 11 operation related to oil, gas, other minerals, or water, or
 12 mine for any mineral" as used in W.S. 30-1-131, means any
 13 ~~agreement or~~ understanding, written or oral, concerning any
 14 ~~operations related to drilling, deepening, reworking,~~
 15 ~~repairing, improving, testing, treating, perforating,~~
 16 ~~acidizing, logging, conditioning, altering, plugging, or~~
 17 ~~otherwise rendering services in or in connection with any~~
 18 ~~well drilled for the purpose of producing or disposing of~~
 19 processing, disposal, transportation, exploration,
 20 development, production, maintenance, closing or
 21 reclamation operation related to oil, gas, ~~or~~ other
 22 minerals, or water, ~~and designing, excavating,~~
 23 ~~constructing, improving, or otherwise rendering services in~~

1 ~~or~~ The term also means any understanding, written or oral,
2 related to the design, excavation, construction,
3 improvement, or other service rendered in connection with
4 any mine shaft, drift, or other structure intended for use
5 in the exploration for or production of any mineral.~~, or an~~
6 The term includes any agreement to perform any portion of
7 any ~~such work or services~~ act covered by this section or
8 any act collateral thereto.~~, including the furnishing or~~
9 ~~rental of equipment, incidental transportation, and other~~
10 ~~goods and services furnished in connection with any such~~
11 ~~service or operation.~~

12

13 **Section 2.** W.S. 30-1-131(a)(i) through (iii) is
14 repealed.

15

16 **Section 3.** This act shall apply to contracts,
17 agreements, covenants and promises entered into on and
18 after July 1, 2015.

19

20 **Section 4.** This act is effective July 1, 2015.

21

22

(END)