

## HOUSE BILL NO. HB0115

Wrongful death-tolling of statutes of limitation.

Sponsored by: Representative(s) Greear and Stubson and  
Senator(s) Nicholas, P.

A BILL

for

1 AN ACT relating to wrongful death claims; providing for  
2 tolling of statutes of limitations upon filing of  
3 appointment of wrongful death representative; and providing  
4 for an effective date.

5

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

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8 **Section 1.** W.S. 1-38-103(b)(ii) is amended to read:

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10 **1-38-103. Appointment of wrongful death**  
11 **representative.**

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13 (b) The district court may appoint the wrongful death  
14 representative at any time after the decedent's death. The  
15 appointment shall be made in a separate action brought  
16 solely for appointing the wrongful death representative. In

1 any action in which appointment of the wrongful death  
2 representative is sought, any person claiming to qualify  
3 under W.S. 1-38-104(a) may intervene as a matter of right.  
4 After an action to appoint the wrongful death  
5 representative is filed:

6

7 (ii) If an action to appoint the wrongful death  
8 representative is properly filed, ~~the limitation period~~  
9 ~~under W.S. 1-38-102(d)~~ all applicable limitation periods  
10 shall be tolled from the time the action is filed until  
11 thirty (30) days after an order appointing the wrongful  
12 death representative is entered.

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14 **Section 2.** This act is effective immediately upon  
15 completion of all acts necessary for a bill to become law  
16 as provided by Article 4, Section 8 of the Wyoming  
17 Constitution.

18

19

(END)