

ORIGINAL SENATE
FILE NO. 0105

ENROLLED ACT NO. 49, SENATE

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2006 BUDGET SESSION

AN ACT relating to the Wyoming Criminal History Record Act; modifying entities authorized to receive criminal history record information; modifying employees subject to criminal history background checks; and providing for an effective date.

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

Section 1. W.S. 7-19-106(a)(xiii) and by creating a new paragraph (xiv), 7-19-201(a) by creating a new paragraph (vi) and (e), 15-5-114 by creating a new subsection (b), 19-13-113 by creating a new subsection (e), 35-9-203 by creating a new subsection (c) and 35-9-211 by creating a new subsection (b) are amended to read:

7-19-106. Access to, and dissemination of, information.

(a) Criminal history record information shall be disseminated by criminal justice agencies in this state, whether directly or through any intermediary, only to:

(xiii) Any public ~~or private~~ fire department, ambulance service, ~~or local or counties providing fire protection services pursuant to W.S. 18-3-509,~~ regional emergency response team or fire protection district, using paid employees or volunteers on a full-time or part-time basis, for purposes of obtaining ~~state and national~~ criminal history record information on prospective employees; ~~who will respond to emergencies as an employee or volunteer of the fire department, ambulance service or local or regional emergency response team.~~

(xiv) The office of homeland security for purposes of obtaining background information on prospective

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homeland security workers and regional emergency response team participants.

7-19-201. State or national criminal history record information.

(a) The following persons shall be required to submit to fingerprinting in order to obtain state and national criminal history record information:

(vi) Prospective employees or volunteers of a public fire department, ambulance service, a county providing fire protection services pursuant to W.S. 18-3-509 or fire protection district if the department, service, county or district requires prospective employees or volunteers or both, to submit to fingerprinting in order to obtain state and national criminal history record information as a condition for a position with the department, service, county or district.

(e) Any public ~~or private~~ fire department, ambulance service or regional emergency response team may as a condition of employment or other participation with the entity require all applicants for employee or volunteer positions with the entity to submit to fingerprinting in order to obtain state and national criminal history record information. In addition, the office of homeland security may as a condition of participation in a regional emergency response team require all team participants to submit to fingerprinting in order to obtain state and national criminal history record information.

15-5-114. Persons not eligible for appointment; criminal history record information.

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(b) A fire department may, as a condition for a position with the department, require applicants to submit to fingerprinting in order to obtain state and national criminal history record information.

19-13-113. State and political subdivisions exempt from liability; exceptions; license to practice not required; homeland security worker defined; recognized educational programs; real estate owners exempt from liability; criminal history record information.

(e) The director may, as a condition for a position as a homeland security worker, require prospective homeland security workers to submit to fingerprinting in order to obtain state and national criminal history record information.

35-9-203. Powers and duties of board of directors generally; administration of finances; assessment and levy of taxes.

(c) A fire protection district formed pursuant to this act may, as a condition for a position with the district, require applicants to submit to fingerprinting in order to obtain state and national criminal history record information.

35-9-211. Formation of county commission fire protection districts; procedures; conditions.

(b) A county commission fire protection district created under this section may, as a condition for a position with the district, require applicants to submit to fingerprinting in order to obtain state and national criminal history record information.

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk