

HOUSE BILL NO. HB0278

Sex offenders-internet access.

Sponsored by: Representative(s) Harshman and Gingery and
Senator(s) Jennings and Ross

A BILL

for

1 AN ACT relating to criminal offenses; providing for
2 imposition of restrictions on internet access on sex
3 offenders; and providing for an effective date.

4

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

6

7 **Section 1.** W.S. 7-13-615 is created to read:

8

9 **7-13-615. Internet use by sex offenders placed on**
10 **probation or parole.**

11

12 (a) In the case of a person convicted of a criminal
13 offense specified in W.S. 7-19-302(g) through (j), or
14 convicted of a criminal offense in Wyoming containing the
15 same or similar elements, or arising out of the same or
16 similar facts or circumstances, as a criminal offense

1 specified in W.S. 7-19-302(g) through (j), and who is
2 required to register under W.S. 7-19-302, where the trier
3 of fact makes a finding that a computer or any other device
4 with internet capability was used to facilitate the
5 commission of the crime, the court shall, in addition to
6 any other disposition, order the following internet access
7 conditions:

8

9 (i) Prohibit the person from accessing or using
10 a computer or any other device with internet capability
11 without the prior written approval of the court except, if
12 the person is on probation or parole, the person may use a
13 computer or any other device with internet capability in
14 connection with that person's employment or search for
15 employment with the prior approval of the person's
16 probation or parole officer;

17

18 (ii) Require the person to submit to periodic
19 unannounced examinations of the person's computer or any
20 other device with internet capability by a probation
21 officer, parole officer, law enforcement officer or
22 assigned computer or information technology specialist,
23 including the retrieval and copying of all data from the
24 computer or device and any internal or external peripherals

1 and removal of the information, equipment or device to
2 conduct a more thorough inspection;

3

4 (iii) Require the person to submit to the
5 installation on the person's computer or device with
6 internet capability, at the person's expense, one (1) or
7 more hardware or software systems to monitor the internet
8 use; and

9

10 (iv) Require the person to submit to any other
11 appropriate restrictions concerning the person's use or
12 access of a computer or any other device with internet
13 capability.

14

15 (b) A person who fails to comply with the internet
16 access conditions imposed in a court order under this
17 section shall be guilty of a misdemeanor, punishable by
18 imprisonment for not more than six (6) months, a fine of
19 not more than seven hundred fifty dollars (\$750.00), or
20 both.

21

22 (c) The attorney general or district attorney may
23 petition the court to impose restrictions pursuant to this

1 section upon any person who is required to register as
2 provided in W.S. 7-19-302.

3

4 **Section 2.** W.S. 7-19-302 by creating a new subsection
5 (m) is amended to read:

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7 **7-19-302. Registration of offenders; procedure;**
8 **verification.**

9

10 (m) A person required to register under this act who
11 is subject to internet access restrictions as provided
12 under W.S. 7-13-615 or a similar law in another state shall
13 provide the appropriate law enforcement agency with
14 information as to whether the person has routine access to
15 or use of a computer or any other device with internet
16 capability. A person who fails to notify the appropriate
17 law enforcement agency of this information or of a change
18 in the person's access to or use of a computer or other
19 device with internet capability or who provides false
20 information concerning the person's access to use of a
21 computer or any other device with internet capability is
22 guilty of a misdemeanor, punishable by imprisonment for not
23 more than six (6) months, a fine of not more than seven
24 hundred fifty dollars (\$750.00), or both.

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2 **Section 2.** This act is effective July 1, 2009.

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(END)