

HOUSE BILL NO. HB0207

Protection of activities in private vehicles.

Sponsored by: Representative(s) Krone, Bonner, Brechtel, Buchanan, Burkhart, Cannady, Childers, Gay, Gingery, Greear, Hunt, Kroeker, Loucks, Petroff, Quarberg and Vranish and Senator(s) Case, Coe and Jennings

A BILL

for

1 AN ACT relating to employment; providing definitions;
2 prohibiting certain persons from creating or enforcing a
3 policy that prohibits the storage of firearms in a motor
4 vehicle as specified; providing for a civil action;
5 providing for remedies; providing exclusions; and providing
6 for an effective date.

7

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

9

10 **Section 1.** W.S. 27-15-101 through 27-15-106 are
11 created to read:

12

13

CHAPTER 15

14

PROTECTION OF ACTIVITIES IN PRIVATE VEHICLES

15

1 **27-15-101. Title.**

2

3 This chapter is known as the "Right to Keep and Bear Arms
4 in Private Vehicles Act."

5

6 **27-15-102. Definitions.**

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8 (a) As used in this chapter:

9

10 (i) "Firearm" means as defined by W.S.
11 6-8-403(a)(iii);

12

13 (ii) "Motor vehicle" means as defined by W.S.
14 31-1-101(a)(xv) that is not owned by a company or employer;

15

16 (iii) "Motor vehicle parking" means an area
17 available for temporary or long term parking or storage of
18 motor vehicles which is available to employees, customers
19 and invitees;

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21 (iv) "Person" means any private employer
22 employing one (1) or more employees within Wyoming.

23

24 **27-15-103. Protection of certain activities; firearms.**

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2 (a) A person may not establish, maintain or enforce
3 any policy or rule that has the effect of:

4

5 (i) Prohibiting any individual from transporting
6 or storing a firearm in a motor vehicle on any property
7 designated for motor vehicle parking, if:

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9 (A) The individual is legally permitted to
10 transport, possess, purchase, receive, transfer or store
11 the firearm;

12

13 (B) The firearm is locked securely in the
14 motor vehicle or in a locked container attached to the
15 motor vehicle while the motor vehicle is not occupied; and

16

17 (C) The firearm is not in plain view from
18 the outside of the motor vehicle.

19

20 **27-15-104. Protection from liability.**

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22 A person that owns or controls a parking area that is
23 subject to this chapter and that complies with the
24 requirements of W.S. 27-15-103 is not liable in any civil

1 action for any occurrence resulting from, connected with or
2 incidental to the use of a firearm, by any person, unless
3 the use of the firearm involves a criminal act by the
4 person who owns or controls the parking area.

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6 **27-15-105. Cause of action for noncompliance;**
7 **remedies.**

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9 (a) An individual who is injured, physically or
10 otherwise, as a result of any policy or rule prohibited by
11 W.S. 27-15-103, may bring a civil action in a court of
12 competent jurisdiction against any person that violates the
13 provisions of W.S. 27-15-103.

14

15 (b) Any individual who asserts a claim under this
16 section is entitled to request:

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18 (i) Declaratory relief;

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20 (ii) Temporary or permanent injunctive relief to
21 prevent the threatened or continued violation;

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23 (iii) Recovery for actual damages sustained; and

24

1 (iv) If the court determines that the
2 circumstances are appropriate, punitive damages.

3

4 (c) The prevailing party in an action brought under
5 this chapter shall recover its court costs and reasonable
6 attorney fees incurred.

7

8 (d) Nothing in this chapter shall be construed or
9 held to affect any rights or claims made in relation to
10 title 27, chapter 14, Wyoming Workers' Compensation Act.

11

12 **27-15-106. Exemptions.**

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14 (a) School premises, including any school building or
15 school grounds in this state and other properties owned or
16 leased by a school, are exempt from the provisions of this
17 chapter.

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19 (b) Government entities, including a local authority
20 or state entity, are exempt from the provisions of this
21 chapter.

22

1 (c) Religious organizations, including religious
2 organizations acting as an employer, are exempt from the
3 provisions of this chapter.

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5 (d) Nothing in this act affects restrictions on the
6 carrying of concealed weapons as provided in W.S.
7 6-8-104(t).

8

9 **Section 2.** This act is effective July 1, 2011.

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11

(END)