

SENATE FILE NO. SF0084

Stalking-penalties.

Sponsored by: Senator(s) Landen, Boner, Ellis and Pappas
and Representative(s) Blake, Brown, Dayton,
Kinner, Pelkey and Pownall

A BILL

for

1 AN ACT relating to crimes and offenses; amending penalties
2 for stalking as specified; specifying conduct that
3 constitutes felony stalking; amending a definition; and
4 providing for an effective date.

5

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

7

8 **Section 1.** W.S. 6-2-506(a)(ii), (b)(i), (d),
9 (e)(iii), (iv) and by creating new paragraphs (v) and (vi)
10 and by creating a new subsection (f) is amended to read:

11

12 **6-2-506. Stalking; penalty.**

13

14 (a) As used in this section:

15

1 (ii) "Harass" means to engage in a course of
2 conduct, including but not limited to verbal threats,
3 written threats, lewd or obscene statements or images,
4 vandalism or nonconsensual physical contact, directed at a
5 specific person ~~or the family of a specific person,~~ which
6 the defendant knew or should have known would cause a
7 reasonable person to:

8
9 (A) Suffer substantial emotional distress;
10 ~~and which does in fact seriously alarm the person toward~~
11 ~~whom it is directed.~~

12
13 (B) Fear for the person's safety or the
14 safety of another; or

15
16 (C) Fear for the destruction of property.

17
18 (b) Unless otherwise provided by law, a person
19 commits the crime of stalking if, with intent to harass
20 another person, the person engages in a course of conduct
21 reasonably likely to harass that person, including but not
22 limited to any combination of the following:
23

1 (i) Communicating, anonymously or otherwise, or
2 causing a communication with another person by verbal,
3 electronic, mechanical, telegraphic, telephonic or written
4 means in a manner that harasses, including communications
5 originating from outside Wyoming or conducted through
6 social media or similar electronic service;

7
8 (d) Except as provided under subsection (e) of this
9 section, stalking is a misdemeanor punishable by
10 imprisonment for not more than ~~six (6) months~~ one (1) year,
11 a fine of not more than ~~seven hundred fifty dollars~~
12 ~~(\$750.00)~~ one thousand dollars (\$1,000.00), or both.

13
14 (e) A person convicted of stalking under subsection
15 (b) of this section is guilty of felony stalking punishable
16 by imprisonment for not more than ten (10) years, if:

17
18 (iii) The defendant committed the offense of
19 stalking in violation of any condition of probation, parole
20 or bail; ~~or~~

21
22 (iv) The defendant committed the offense of
23 stalking in violation of a temporary or permanent order of

1 protection issued pursuant to W.S. 7-3-508, ~~or~~ 7-3-509,
2 35-21-104 or 35-21-105 or pursuant to a substantially
3 similar law of another jurisdiction; ~~;~~

4
5 (v) The defendant committed the offense of
6 stalking against the same victim for whom the defendant had
7 previously been prohibited from contacting in a temporary
8 or permanent order of protection issued pursuant to W.S.
9 7-3-508, 7-3-509, 35-21-104 or 35-21-105 or pursuant to a
10 substantially similar law of another jurisdiction; or

11
12 (vi) The defendant committed the offense of
13 stalking against the same victim for whom the defendant had
14 previously been convicted of stalking pursuant to
15 subsection (b) of this section.

16
17 (f) If a person sentenced under subsection (d) of
18 this section is placed on probation, the court may,
19 notwithstanding any other provision of law, impose a term
20 of probation exceeding the maximum twelve (12) months
21 imprisonment, provided the term of probation, including
22 extensions, shall not exceed three (3) years.

23

1 **Section 2.** This act is effective July 1, 2017.

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3

(END)