

HOUSE BILL NO. HB0078

Concealed weapons authority-2.

Sponsored by: Representative(s) Hinckley, Brechtel, Davison, Diercks, Gingery, IlLOWay, McOmie, Pedersen, Quarberg, Semlek, Simpson and Watt and Senator(s) Case, Coe, Geis and Ross

A BILL

for

1 AN ACT relating to concealed weapons; authorizing the
2 carrying of concealed weapons by nonfelons as specified;
3 providing limitations; restricting felons from carrying
4 concealed weapons as specified; and providing for an
5 effective date.

6

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

8

9 **Section 1.** W.S. 6-8-105 is created to read:

10

11 **6-8-105. Wearing or carrying concealed weapons;**
12 **nonpermit holders; violations, penalties.**

13

14 (a) To carry a concealed deadly weapon without a
15 permit under W.S. 6-8-104(a)(iv), a person shall:

1

2 (i) Be at least twenty-one (21) years of age;

3

4 (ii) Not suffer from a physical infirmity which
5 prevents the safe handling of a firearm;

6

7 (iii) Not have been found ineligible to possess
8 a firearm pursuant to 18 U.S.C. section 922(g) and not have
9 been convicted of any felony in any state, territory or
10 other jurisdiction of the United States;

11

12 (iv) Not have been committed to a state or
13 federal facility for the abuse of a controlled substance or
14 convicted of a violation of the Wyoming Controlled
15 Substances Act of 1971, W.S. 35-7-1001 through 35-7-1057 or
16 similar laws of any other state or the United States
17 relating to controlled substances. It shall be presumed
18 under this section that a person chronically and habitually
19 uses controlled substances to the extent that his normal
20 faculties are impaired if the person has been required to
21 undergo treatment for the use of a controlled substance
22 within the last six (6) years;

23

24 (v) Not chronically or habitually use alcoholic

1 liquor or malt beverages to the extent that his normal
2 faculties are impaired. It shall be presumed under this
3 section that a person chronically and habitually uses
4 alcoholic liquor or malt beverages to the extent that his
5 normal faculties are impaired if the person has been
6 involuntarily committed to any residential facility
7 pursuant to the laws of this state or similar laws of any
8 other state as a result of the use of alcohol;

9

10 (vi) Have been a resident of the state for at
11 least six (6) months before carrying a concealed deadly
12 weapon under this section.

13

14 (b) Whenever a person carrying a concealed deadly
15 weapon under this section is stopped, detained, questioned
16 or addressed in person by a peace officer, he shall
17 immediately inform the peace officer that he is carrying a
18 concealed deadly weapon under this section. The peace
19 officer may secure the concealed deadly weapon, or direct
20 that it be secured, during the duration of the contact
21 between the person and the peace officer if the peace
22 officer determines that the action is necessary for the
23 safety of any person present, including the peace officer.

24

1 (c) A person shall not carry a concealed deadly
2 weapon under this section into any location specified in
3 W.S. 6-8-104(t).

4

5 **Section 2.** W.S. 6-8-104(a)(ii), (iii), by creating a
6 new paragraph (iv) and (t) by creating a new paragraph
7 (xii) is amended to read:

8

9 **6-8-104. Wearing or carrying concealed weapons;**
10 **penalties; exceptions; permits.**

11

12 (a) A person who wears or carries a concealed deadly
13 weapon is guilty of a misdemeanor punishable by a fine of
14 not more than seven hundred fifty dollars (\$750.00),
15 imprisonment in the county jail for not more than six (6)
16 months, or both, unless:

17

18 (ii) The person possesses a permit under this
19 section;~~or~~

20

21 (iii) The person holds a valid permit
22 authorizing him to carry a concealed firearm authorized and
23 issued by a governmental agency or entity in another state
24 that recognizes Wyoming permits, is a valid statewide

1 permit, and the state has laws similar to the provisions of
2 this section, as determined by the attorney general,
3 including a proper background check of the permit holder;
4 or

5
6 (iv) The person is not ineligible to possess a
7 firearm under 18 U.S.C. section 922(g) has not been
8 convicted of any felony in any state, territory or other
9 jurisdiction of the United States and has not otherwise
10 been denied a permit under this section, provided the
11 person is twenty-one (21) years of age or older and
12 complies with W.S. 6-8-105.

13
14 (t) No permit issued pursuant to this section or any
15 permit issued from any other state shall authorize any
16 person to carry a concealed firearm into:

17
18 (xii) Any place of business where the owner or
19 employer has provided or prominently posted a notice
20 prohibiting the carrying of concealed firearms.

21
22 **Section 3.** This act is effective July 1, 2006.

23

24

(END)