

HOUSE BILL NO. HB0078

Concealed weapons authority-2.

Sponsored by: Representative(s) Hinckley, Brechtel, Gingery, Illoway, Pedersen, Quarberg, Simpson and Watt and Senator(s) Case, Coe 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; 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. 6-8-105 is created to read:

8

9 **6-8-105. Wearing or carrying concealed weapons;**  
10 **nonpermit holders; violations, penalties.**

11

12 (a) To carry a concealed deadly weapon without a  
13 permit under W.S. 6-8-104(a)(iv), a person shall meet the  
14 following requirements:

15

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

2

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

5

6 (iii) Not been found ineligible to possess a  
7 firearm pursuant to 18 U.S.C. section 922(g) or W.S.  
8 6-8-102;

9

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

21

22 (v) Not chronically or habitually use alcoholic  
23 liquor or malt beverages to the extent that his normal  
24 faculties are impaired. It shall be presumed under this

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

7

8 (vi) Been a resident of the state for at least  
9 ninety (90) days before carrying a concealed deadly weapon  
10 under this section.

11

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

22

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) and by creating  
6 a new paragraph (iv) is amended to read:

7

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

10

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

16

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

19

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

1 this section, as determined by the attorney general,  
 2 including a proper background check of the permit holder;  
 3 or

4  
 5 (iv) The person is not ineligible to possess a  
 6 firearm under 18 U.S.C. section 922(g) or W.S. 6-8-102 and  
 7 has not otherwise been denied a permit under this section,  
 8 provided the person is twenty-one (21) years of age or  
 9 older and complies with W.S. 6-8-105.

10

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

12

13

(END)