

WORKING DRAFT

HOUSE BILL NO. _____

Juvenile justice amendments.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to juveniles; amending the definition of
2 status offender as specified; amending penalties for minors
3 in possession of alcohol; and providing for an effective
4 date.

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

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8 **Section 1.** W.S. 5-6-112(b)(iii), 7-1-107(b)(iii),
9 12-6-101(b)(intro), (c) and by creating a new subsection
10 (f), 14-6-201(a)(xxiii) and 14-6-402(a)(xx) are amended to
11 read:

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13 **5-6-112. Detention of juvenile offenders.**

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15 (b) As used in W.S. 5-6-112 and 5-6-113:

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7-1-107. Detention of juvenile offenders.

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(b) As used in W.S. 7-1-107 and 7-1-108:

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(iii) "Status offense" means an offense which, if committed by an adult, would not constitute an act punishable as a criminal offense by the laws of this state or a violation of a municipal ordinance, ~~but does not include a violation of W.S. 12-6-101(b) or (c) or any similar municipal ordinance.~~ "Status offense" includes any violation of W.S. 12-6-101(b) or (c) or any similar municipal ordinance by a person under eighteen (18) years of age.

(iii) "Status offense" means an offense which, if committed by an adult, would not constitute an act punishable as a criminal offense by the laws of this state or a violation of a municipal ordinance, ~~but does not include a violation of W.S. 12-6-101(b) or (c) or any similar municipal ordinance.~~ "Status offense" includes any violation of W.S. 12-6-101(b) or (c) or any similar municipal ordinance by a person under eighteen (18) years of age.

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2 **12-6-101. Sale or possession prohibited; when**
3 **possession unlawful; public drunkenness; falsification of**
4 **identification; penalty; prima facie identification as**
5 **defense.**

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7 (b) Except as provided in subsection (f) of this
8 section, any person under the age of twenty-one (21) years
9 who has any alcoholic or malt beverage in his possession or
10 who is drunk or under the influence of alcoholic liquor,
11 malt beverages or a controlled substance on any street or
12 highway or in any public place is guilty of a misdemeanor.
13 This subsection does not apply to possession of alcoholic
14 or malt beverages by a person under the age of twenty-one
15 (21) years:

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17 (c) Except as provided in subsection (f) of this
18 section, any person under the age of twenty-one (21) years
19 who attempts in any manner to purchase alcoholic or malt
20 beverages or who falsifies any identification or uses any
21 false identification in order to obtain alcoholic or malt
22 beverages is guilty of a misdemeanor.

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1 (f) Any person under eighteen (18) years of age who
2 violates subsection (b) or (c) of this section is a status
3 offender as defined in W.S. 5-6-112(b)(iii) and shall not
4 be incarcerated for a violation of subsection (b) or (c) of
5 this section.

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7 **14-6-201. Definitions; short title; statement of**
8 **purpose and interpretation.**

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10 (a) As used in this act:

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12 (xxiii) "Status offense" means an offense which,
13 if committed by an adult, would not constitute an act
14 punishable as a criminal offense by the laws of this state
15 or a violation of a municipal ordinance; ~~but does not~~
16 ~~include a violation of W.S. 12-6-101(b) or (c) or any~~
17 ~~similar municipal ordinance;~~ "Status offense" includes any
18 violation of W.S. 12-6-101(b) or (c) or any similar
19 municipal ordinance by a person under eighteen (18) years
20 of age.

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22 **14-6-402. Definitions.**

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24 (a) As used in this act:

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(xx) "Status offense" means an offense which, if committed by an adult, would not constitute an act punishable as a criminal offense by the laws of this state or a violation of a municipal ordinance. ~~but does not include a~~ "Status offense" includes any violation of W.S. 12-6-101(b) or (c) by any person under eighteen (18) years of age;

Section 2. This act is effective July 1, 2007.

(END)