

HOUSE BILL NO. HB0087

Return of victim's property held as evidence.

Sponsored by: Representative(s) Pownall, Greear and
Zwonitzer and Senator(s) Driskill and Von
Flatern

A BILL

for

1 AN ACT relating to the victim and witness bill of rights;
2 providing for the return of property where photographs may
3 be submitted into evidence in place of the property as
4 specified; and providing for an effective 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. 1-40-208(b) is amended to read:

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10 **1-40-208. Prompt return of property; photographs in**
11 **lieu of property.**

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13 (b) Criminal justice agencies shall work together to
14 expedite the return of property, which is not contraband,
15 when it is no longer needed. Prosecuting attorneys shall

1 promptly notify law enforcement agencies when evidence is
2 no longer needed. Property of a victim or witness taken as
3 evidence shall be photographed and returned to the owner
4 within sixty (60) days of the property being taken as
5 evidence if the prosecuting attorney determines:

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7 (i) Photographs of the property are admissible
8 as evidence;

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10 (ii) Submitting the photographs into evidence in
11 place of the property will not substantially prejudice any
12 criminal proceeding;

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14 (iii) The property is not required for
15 evidentiary analysis; and

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17 (iv) Ownership of the property is not disputed.

18
19 **Section 2.** This act is effective July 1, 2017.

20
21 (END)