

SENATE FILE NO. SF0019

Uniformity in domestic violence law.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to crimes and offenses; amending penalties
2 for crimes related to domestic assault and battery,
3 strangulation and stalking; amending enhanced penalty
4 provisions; amending the definition of violent felony; and
5 providing for an effective date.

6

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

8

9 **Section 1.** W.S. 6-1-104(a)(xii), 6-2-509(b),
10 6-2-510(b)(i), (ii)(intro), (E), by creating new
11 subparagraphs (G) through (M) and (c),
12 6-2-511(b)(ii)(intro), (E), by creating new subparagraphs
13 (G) through (M), (iii)(intro), (E), by creating new
14 subparagraphs (G) through (M) and (c) and 7-13-1301(a)(vi)
15 are amended to read:

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1 **6-1-104. Definitions.**

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3 (a) As used in this act, unless otherwise defined:

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5 (xii) "Violent felony" means murder,
6 manslaughter, kidnapping, sexual assault in the first or
7 second degree, robbery, aggravated assault, strangulation
8 of a household member, aircraft hijacking, arson in the
9 first or second degree, ~~or~~ aggravated burglary, ~~or~~ a
10 violation of W.S. 6-2-314(a)(i) or 6-2-315(a)(ii) or a
11 third, or subsequent, domestic battery under W.S.
12 6-2-511(a) and (b)(iii);

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14 **6-2-509. Strangulation of a household member;**
15 **penalty.**

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17 (b) Strangulation of a household member is a felony
18 punishable by imprisonment for not more than ~~five (5) ten~~
19 (10) years.

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21 **6-2-510. Domestic assault.**

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23 (b) Domestic assault is punishable as follows:

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2 (i) By imprisonment for not more than six (6)
3 months, a fine of not more than seven hundred fifty dollars
4 (\$750.00), or both;

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6 (ii) By imprisonment for not more than ~~six (6)~~
7 ~~months~~ one (1) year, a fine of not more than seven hundred
8 fifty dollars (\$750.00), or both, if the person has
9 previously been convicted of domestic assault or if the
10 person has previously been convicted of the following or
11 similar offense against another household member:

12

13 (E) Child abuse under W.S. 6-2-503; ~~or~~

14

15 (G) Unlawful contact under W.S. 6-2-501(g);

16

17 (H) Strangulation of a household member
18 under W.S. 6-2-509;

19

20 (J) Kidnapping under W.S. 6-2-201;

21

22 (K) Felonious restraint under W.S. 6-2-202;

23 or

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(M) False imprisonment under W.S. 6-2-203.

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6-2-511. Domestic battery.

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(b) Domestic battery is punishable as follows:

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(E) Child abuse under W.S. 6-2-503; ~~or~~

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(G) Unlawful contact under W.S. 6-2-501(g);

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4

(H) Strangulation of a household member
under W.S. 6-2-509;

6

7

(J) Kidnapping under W.S. 6-2-201;

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(K) Felonious restraint under W.S. 6-2-202;

10 or

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(M) False imprisonment under W.S. 6-2-203.

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(E) Child abuse under W.S. 6-2-503; ~~or~~

(iii) By imprisonment for not more than ~~five (5)~~
~~years~~ ten (10) years, a fine of not more than ~~two thousand~~
~~dollars (\$2,000.00)~~ ten thousand dollars (\$10,000.00), or
both, if ~~within the previous ten (10) years~~, the person has
previously been convicted of domestic battery two (2) or
more times or if the person has previously been convicted
of domestic battery and any of the following or similar
offense against another household member:

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2

(G) Unlawful contact under W.S. 6-2-501(g);

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(H) Strangulation of a household member
under W.S. 6-2-509;

6

7

(J) Kidnapping under W.S. 6-2-201;

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(K) Felonious restraint under W.S. 6-2-202;

10 or

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(M) False imprisonment under W.S. 6-2-203.

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14 (c) If a person sentenced under paragraph (b) (i) or
15 (ii) of this section is placed on probation, the court may,
16 notwithstanding any other provision of law, impose a term
17 of probation exceeding the maximum imprisonment of one (1)
18 year, provided the term of probation, including extensions,
19 shall not exceed ~~two (2)~~ three (3) years.

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7-13-1301. Definitions.

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(a) As used in W.S. 7-13-1301 through 7-13-1304:

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2 (vi) "Violent felony" means murder,
3 manslaughter, kidnapping, sexual assault in the first or
4 second degree, robbery, aggravated assault, strangulation
5 of a household member, aircraft hijacking, arson in the
6 first or second degree, ~~or~~ aggravated burglary, a violation
7 of W.S. 6-2-314(a)(i) or 6-2-315(a)(ii) or a third, or
8 subsequent, domestic battery under W.S. 6-2-511(a) and
9 (b)(iii);

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11 **Section 2.** This act is effective July 1, 2018.

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(END)