

SENATE FILE NO. SF0070

Revisor's bill.

Sponsored by: Management Council

A BILL

for

1 AN ACT relating to the revision of statutes; correcting
2 statutory references and language resulting from
3 inadvertent errors and omissions in previously adopted
4 legislation; amending obsolete references; specifying
5 applicability; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 6-3-203(c)(v) and (vi), 6-4-403(f),
10 7-12-308, 7-13-105(b)(i), (ii) and (c)(ii), 9-2-123(q)(i),
11 9-2-1035(a)(v)(intro), 9-2-1036(b)(iii), 9-2-1037(a)(i) and
12 (iii), 9-2-1704(c), 11-31-301(m), 18-8-101(a)(ii),
13 23-2-209, 31-2-206(h), 33-27-119(b), 35-7-1002(a)(i)(intro)
14 and 40-10-122(a)(xviii)(B)(I) are amended to read:

15

1 **6-3-203. Cruelty to animals; penalties; limitation on**
2 **manner of destruction.**

3
4 (c) A person commits aggravated cruelty to animals if
5 he:

6
7 (v) Knowingly permits any act prohibited under
8 paragraphs (ii) or (iv) of this subsection on any premises
9 under his charge or control; ~~or~~

10
11 (vi) Promotes any act prohibited under
12 paragraphs (ii) or (iv) of this subsection; or

13
14 **6-4-403. Abandoning or endangering children;**
15 **penalties; "child"; disclosure or publication of**
16 **identifying information; "minor victim".**

17
18 (f) Prior to the filing of an information or
19 indictment charging a violation of W.S. 6-4-403(b)(ii),
20 (iii) or ~~(v)(D) or (E)~~ (vi)(D), neither the name of the
21 person accused or the victim nor any other information
22 reasonably likely to disclose the identity of the victim
23 shall be released or negligently allowed to be released to

1 the public by any public employee, except as authorized by
2 the judge with jurisdiction over the criminal charges. The
3 name of the person accused may be released to the public to
4 aid or facilitate an arrest.

5

6 **7-12-308. Right to counsel.**

7

8 A convicted person is entitled to counsel during a
9 proceeding under this act. Upon request of the person, the
10 court shall appoint counsel for the convicted person if the
11 court determines that the person is needy and the person
12 wishes to submit a motion under W.S. 7-12-303(c). Counsel
13 shall be appointed as provided in W.S. ~~7-6-104(c)(viii)~~
14 7-6-104(c)(vii).

15

16 **7-13-105. Certificate of restoration of rights;
17 procedure for restoration in general; procedure for
18 restoration of voting rights for nonviolent felonies;
19 filing requirements.**

20

21 (b) The department of corrections shall issue a
22 certificate of restoration of voting rights as provided in
23 this subsection and subsection (c) of this section. Upon

1 issuance of a certificate, voting rights lost pursuant to
2 W.S. 6-10-106 shall be deemed restored. The department of
3 corrections shall automatically issue a person convicted of
4 a nonviolent felony or nonviolent felonies arising out of
5 the same occurrence or related course of events a
6 certificate of restoration of voting rights if:

7

8 (i) The person has not been convicted of any
9 other felony other than convictions arising out of the same
10 occurrence or related course of events for which
11 restoration of rights is certified; and

12

13 (ii) The person has completed all of his
14 sentence, including probation or parole. ~~;~~ and

15

16 (c) The department of corrections shall issue a
17 certificate of restoration of voting rights to eligible
18 persons as follows:

19

20 (ii) For persons convicted outside of Wyoming or
21 under federal law of a nonviolent felony or nonviolent
22 felonies arising out of the same occurrence or related
23 course of events, the department shall ~~require an~~ issue

1 each eligible person a certificate of restoration of voting
2 rights upon receipt of a written request on a form
3 prescribed by the department and following a determination
4 that the person has completed his sentence, including
5 probation and parole.

6

7 **9-2-123. Wyoming investment in nursing loan and grant**
8 **program; eligibility criteria; procedures.**

9

10 (q) A recipient of a WYIN loan under this section and
11 attending a master's or doctorate nursing level program may
12 begin loan repayment through qualified work as authorized
13 under subsections (e) and (f) of this section concurrently
14 with enrollment in the nursing education program, subject
15 to the following:

16

17 (i) If the recipient is enrolled in a master's
18 nursing degree program, the recipient shall perform
19 qualified work for not less ~~that~~than one (1) year
20 following completion of the education program;

21

22 **9-2-1035. Definitions.**

23

1 (a) As used in this act:

2

3 (v) "Public financial information" means
4 official public records as defined in W.S.
5 16-4-201(a)(vi)(A) that are required to be made available
6 on the Wyoming public finance and expenditure of funds
7 website as required by this act, but shall not include any
8 information:

9

10 **9-2-1036. Wyoming public finance and expenditure of**
11 **funds website.**

12

13 (b) The purpose of the Wyoming public finance and
14 expenditure of funds website is to:

15

16 (iii) Allow the public to search public
17 financial information on the Wyoming public finance and
18 expenditure of funds website using criteria established by
19 the department;

20

21 **9-2-1037. Rulemaking authority.**

22

23 (a) The department shall adopt rules to:

1

2 (i) Require participating state entities to
3 provide public financial information for inclusion on the
4 Wyoming public finance and expenditure of funds website
5 provided legislative appropriations are available to permit
6 entities to generate the information;

7

8 (iii) Establish procedures for obtaining,
9 submitting, reporting, storing and providing public
10 financial information on the Wyoming public finance and
11 expenditure of funds website which may include a specified
12 reporting frequency and form.

13

14 **9-2-1704. Reorganization plan; structure; time frame.**

15

16 (c) ~~Notwithstanding subsection (b) of this section,~~
17 The legislature may establish temporary agencies for
18 periods not exceeding four (4) years which are not within a
19 department or the office of an official specified in
20 subsection (a) of this section. At the expiration of four
21 (4) years, the agency and all its programs and functions
22 shall either terminate or be assigned within an established
23 department.

1

2 **11-31-301. Public nuisance; notice; penalties; rules**
3 **and regulations; animal control districts and officers.**

4

5 (m) Except as provided in subsection (e) of this
6 section regarding impounding an animal to determine disease
7 status, nothing in this section shall apply to any
8 livestock guarding animal which is actively engaged in
9 protecting livestock. Except in the case of gross or
10 willful negligence, no liability shall accrue to the owner,
11 or his agent, of any livestock guarding animal for any
12 injury to any person or animal received from any livestock
13 guarding animal which was actively engaged in protecting
14 livestock. ~~As used in this subsection, "animal" means as~~
15 ~~defined in W.S. 11-29-101(a)(i).~~

16

17 **18-8-101. Definitions.**

18

19 (a) As used in W.S. 18-8-102 through 18-8-109 the
20 words:

21

22 (ii) "Medical facilities" includes but is not
23 limited to diagnostic or treatment centers, rehabilitation

1 facilities and nursing homes, as those terms are defined in
2 the federal act Public Law 482, 83 congress, July 12, 1954,
3 (C. 471, sec. 4(c)-(f), 68 Stat. 465-466); ~~(42 U.S.C., §~~
4 ~~291i);~~

5

6 **23-2-209. Wyoming sport fishing day; fishing exempt**
7 **from licensure.**

8

9 The commission may annually designate not more than one (1)
10 day each calendar year as a free sport fishing day.
11 Residents and nonresidents may during the designated free
12 sport fishing day, without payment of any fee and without
13 acquiring a license pursuant to W.S. 23-2-201 or a
14 conservation stamp under W.S. ~~23-3-306~~ 23-2-306, exercise
15 the privileges of sport fishing licensees subject to
16 limitations imposed upon licensees by law and commission
17 rule and regulation.

18

19 **31-2-206. Annual renewal; delivery of license plates**
20 **and stickers; staggered registration.**

21

22 (h) If a county treasurer with the approval of the
23 board of county commissioners elects to register vehicles

1 under this subsection, the annual registration month for
2 all vehicles shall be December and except for vehicles
3 registered during calendar year 1992 and each year
4 thereafter, the license plates or stickers issued for any
5 calendar year under this subsection shall only be used for
6 the vehicle for which issued through the last day of March
7 of the succeeding calendar year. For vehicles registered
8 during calendar year 1992 and each year thereafter, the
9 license plates or stickers issued for any calendar year
10 under this subsection shall only be issued for use through
11 the last day of February of the succeeding calendar year.
12 W.S. 31-1-101(a)(xxx)(A) and (B) do not apply if an
13 election is made under this subsection. A county treasurer
14 with the approval of the board of county commissioners may
15 subsequently elect to follow the procedure in ~~subsections~~
16 ~~(e) through~~ subsection (g) of this section for any
17 succeeding calendar year by notifying the department not
18 later than April 1 of the year preceding the year for which
19 the election is made and providing adequate publicity to
20 county residents about the election. If any election is
21 made to follow the procedure in ~~subsections (e) through~~
22 subsection (g) of this section, credit shall be given for
23 registration fees paid through December 31 of the year for

1 which the election is made. If a county treasurer follows
2 the procedure under ~~subsections (e) through~~ subsection (g)
3 of this section, no subsequent election shall be made. No
4 election under this subsection shall be made for a calendar
5 year in which new license plates shall be issued.

6

7 **33-27-119. Practice without license.**

8

9 (b) Unless exempt under W.S. 33-27-114, any person
10 who represents himself as a psychologist and who engages in
11 the practice of psychology in violation of this act, is
12 guilty of a misdemeanor punishable by a fine of not more
13 ~~that~~ than seven hundred fifty dollars (\$750.00),
14 imprisonment for not more than six (6) months, or both.
15 Each violation shall constitute a separate offense.

16

17 **35-7-1002. Definitions.**

18

19 (a) As used in this act:

20

21 (i) "Administer" means ~~the direct application of~~
22 directly applying a controlled substance, whether by

1 injection, inhalation, ingestion, or any other means, to
2 the body of a patient or research subject by:

3

4 **40-10-122. Powers and duties of the director.**

5

6 (a) The director shall:

7

8 (xviii) Verify advertised prices, price
9 representations and point-of-sale systems, as necessary to
10 determine:

11

12 (B) The accuracy of prices printed or
13 recalled from a database in systems utilizing scanning or
14 coding means in lieu of manual entry. In carrying out the
15 provisions of this paragraph, the director shall:

16

17 (I) Employ recognized procedures, as
18 adopted by the National Conference on Weights and Measures
19 and published in the ~~Untied~~United States Department of
20 Commerce National Institute of Standards and Technology
21 Handbook 130, "Uniform Laws and Regulations, Examination
22 Procedures for Price Verification"; and

23

1 **Section 2.** W.S. 35-7-2104(b) as created by 2017
2 Wyoming Session Laws, Chapter 212, Section 1 is amended to
3 read:

4

5 **35-7-2104. Industrial hemp seed**
6 **certification; power of department to examine**
7 **seeds; purchase of samples; authority to make**
8 **rules; fees and disposition thereof.**

9

10 (b) The department shall certify varieties
11 of seeds and shall promulgate rules and
12 regulations necessary to ensure the production of
13 certified seed of high quality that complies with
14 the requirements of this act. The department may
15 charge reasonable fees for certification and
16 shall use the funds received to defray the cost
17 of conducting the certification program.

18

19 **Section 3.** W.S. 9-2-1016(h)(iii) is repealed.

20

21 **Section 4.** Any other act adopted by the Wyoming
22 legislature during the same session in which this act is
23 adopted shall be given precedence and shall prevail over

1 the amendments in this act to the extent that such acts are
2 in conflict with this act.

3

4 **Section 5.** This act is effective July 1, 2018.

5

6 (END)