

SENATE FILE NO. SF0031

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 inadvertent
3 errors and omissions in previously adopted legislation;
4 amending obsolete references; repealing provisions;
5 specifying applicability; and providing for an effective
6 date.

7

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

9

10 **Section 1.** W.S. 7-13-1205(a)(i) and (iii), 9-1-625(c),
11 9-2-1016(b)(xxi), 9-3-602(a)(xvii), 10-7-104, 14-4-112,
12 14-4-113(a), 16-4-202(d)(v), 21-4-107, 21-16-1302(b),
13 22-25-106(b)(iv), 25-10-125, 26-24-102(b), 27-4-409,
14 27-4-413, 28-1-116(c), 35-7-1058(a)(intro) and (iv)(intro),
15 35-7-2104(b), 39-11-101(a)(xviii) and 40-12-109 are amended
16 to read:

1

2 **7-13-1205. Juvenile courts authorized to establish teen**
3 **court program.**

4

5 (a) Notwithstanding any other provision of the Juvenile
6 Justice Act, W.S. 14-6-201 through 14-6-252, a juvenile court
7 may establish and offer a teen court program substantially
8 complying with the provisions of this act as an alternative
9 to any disposition authorized by W.S. 14-6-229(d), provided:

10

11 (i) Participation in the teen court program shall
12 be limited to teens charged under the Juvenile ~~Court-Justice~~
13 Act with having committed a minor offense and who have been
14 adjudicated delinquent;

15

16 (iii) The juvenile and the juvenile's parents or
17 guardian waive any rights to confidentiality otherwise
18 available under the Juvenile ~~Court-Justice~~ Act; and

19

20 **9-1-625. Division of criminal investigation; adult**
21 **arrestees to be processed accordingly; data on persons in**
22 **state custodial institutions; minors.**

23

1 (c) No minor shall be photographed or fingerprinted
2 except in accordance with the Juvenile ~~Court~~Justice Act.

3
4 **9-2-1016. General services division.**

5
6 (b) For the purpose of this subsection the term
7 "agencies" does not include the University of Wyoming,
8 community college districts, or school districts. It does not
9 include the department of transportation except as to
10 paragraphs (xi), (xii) and (xiii) of this subsection. The
11 department through the general services division shall:

12
13 (xxi) Administratively implement the state
14 building commission's rules relating to the leasing, routine
15 maintenance, management, operation and equipping of state
16 office buildings as provided in W.S. ~~9-1-501~~9-5-101 through
17 ~~9-1-508~~9-5-108;

18
19 **9-3-602. Definitions.**

20
21 (a) As used in this ~~article~~act:

1 (xvii) "This act" ~~or "this article"~~ means W.S.
2 9-3-601 through 9-3-620;

3

4 **10-7-104. Contracts to improve commercial air service.**

5

6 The commission may, after competitive bidding, enter into
7 contracts to procure commercial air service, to obtain
8 professional, financial or technical assistance directly
9 related to the commercial air service improvement plan or for
10 any other purposes necessary to implement the commercial air
11 service improvement plan. The attorney general shall review
12 and approve any contract under this ~~subsection~~section before
13 it is executed. Beginning September 30, 2019, and by September
14 30 annually thereafter, the commission shall provide a report
15 on any contracts entered into under this ~~subsection~~section
16 to the governor, the joint minerals, business and economic
17 development interim committee, the joint appropriations
18 committee and the air transportation liaison committee. The
19 report shall describe any actions taken and funds expended in
20 consideration of, and pursuant to, any contract entered into
21 under this ~~subsection~~section, and shall analyze the
22 performance of any recipient of funds under any contract.

23

1 **14-4-112. Contracts by department of family services.**

2

3 The department of family services is authorized to contract
4 with any lawful authority of any child caring facility for
5 the care and custody of Wyoming children which have been
6 placed therein by court order under the Juvenile ~~Court-Justice~~
7 Act or otherwise. The department shall select those child
8 caring facilities requiring the least expense to the state
9 for the care and custody of children.

10

11 **14-4-113. Commitment of uncontrollable child; refusal**
12 **to receive.**

13

14 (a) If a child is committed to a child caring facility
15 by a court under the Juvenile ~~Court-Justice~~ Act or otherwise
16 and the child caring facility cannot exercise proper control
17 over the child, the child caring facility may report the facts
18 to the court with jurisdiction for a reconsideration or
19 rehearing on the order. If the facts warrant, the child shall
20 then be committed to the Wyoming boys' school, the Wyoming
21 girls' school, or such other privately or publicly operated
22 facility as the court deems appropriate.

23

1 **16-4-202. Right of inspection; rules and regulations;**
2 **unavailability.**

3
4 (d) If a public record exists primarily or solely in an
5 electronic format, the custodian of the record shall so inform
6 the requester. Electronic record inspection and copying shall
7 be subject to the following:

8
9 (v) Nothing in this section shall prohibit the
10 ~~director of the office of homeland security~~ governor from
11 enacting any rules pursuant to his authority under W.S.
12 ~~19-13-104(d)(v)~~ 19-13-104(c)(i).

13
14 **21-4-107. Notice to district attorney of habitual**
15 **truancy; duty of district attorney.**

16
17 When the board of trustees of any school district shall
18 determine that a child is an habitual truant as defined by
19 this article the board or its attendance officer shall notify
20 the district attorney who shall then initiate proceedings in
21 the interest of the child under the Juvenile ~~Court~~ Justice
22 Act.

23

1 **21-16-1302. Hathaway scholarship expenditure account**
2 **created; reserve account created; use and appropriation of**
3 **funds.**

4
5 (b) There is created the Hathaway student scholarship
6 reserve account. The reserve account shall consist of those
7 monies deposited to the account pursuant to subsection (a) of
8 this section and such other funds appropriated by the
9 legislature to the reserve account. Interest and other
10 earnings on funds within the reserve account shall be credited
11 to the reserve account. To the extent funds within the
12 Hathaway scholarship expenditure account are insufficient in
13 any fiscal year to fully fund scholarships awarded under this
14 article, monies within the reserve account shall be deposited
15 by the state treasurer to the expenditure account for
16 distribution to eligible institutions to fund those
17 scholarships. As soon as possible after the end of each of
18 the fiscal years beginning on and after July 1, 2007, the
19 state treasurer shall transfer monies from this reserve
20 account to the Hathaway student scholarship endowment fund to
21 the extent monies within the reserve account are in excess of
22 the greater of twelve million dollars (\$12,000,000.00) or an
23 amount equal to four and one-half percent (4.5%) of the

1 previous five (5) year average market value of the Hathaway
2 student scholarship endowment fund, calculated from the first
3 day of the fiscal year. The state treasurer shall report not
4 later than November 1, of each year to the joint education
5 interim committee and the select committee on capital
6 financing and investments the amount of funds within the
7 reserve account at the end of the previous fiscal year and as
8 of July 1, of the current fiscal year.

9

10 **22-25-106. Filing of campaign reports.**

11

12 (b) Reports of itemized statements of contributions and
13 statements of contributions and expenditures, and statements
14 of termination shall be made with the appropriate filing
15 officers specified under W.S. 22-25-107 and in accordance
16 with the following:

17

18 (iv) In addition to the reports required under
19 paragraphs (i) through (iii) of this subsection, a political
20 action committee formed for the support of or opposition to
21 any initiative or referendum petition drive or any
22 organization supporting or opposing a petition drive shall
23 file an itemized statement of contributions and expenditures

1 within ten (10) days after the petition is submitted to the
2 secretary of state pursuant to W.S. ~~22-24-115~~22-24-315 or
3 22-24-412.

4

5 **25-10-125. Clothing and transportation upon discharge.**

6

7 (a) The department, pursuant to W.S. 25-10-112 shall
8 ~~insure~~ensure that a patient discharged from the state's
9 custody possesses suitable clothing and adequate means to
10 ~~insure~~ensure his arrival at the home from which he was
11 admitted or another place within the state, which is in the
12 best interests of the state and of the patient.

13

14 (b) The county responsible for payment of costs
15 pursuant to W.S. 25-10-112(a) shall ~~insure~~ensure that a
16 patient discharged from emergency detention within
17 seventy-two (72) hours, or upon expiration of emergency
18 detention after seventy-two (72) hours without a court order
19 for hospitalization under W.S. 25-10-110, possesses suitable
20 clothing and adequate means to ~~insure~~ensure his arrival at
21 the home from which he was admitted or another place, which
22 is in the best interests of the county and of the patient.

23

1 **26-24-102. Applicability of general corporation**
2 **statutes; exceptions.**

3

4 (b) Domestic stock insurers and domestic mutual
5 insurers are exempt from the provisions of W.S. 17-16-1630
6 and ~~17-16-1820(e)~~17-16-1720(e).

7

8 **27-4-409. Hearing procedure.**

9

10 The procedure before the director for hearing of objections
11 shall be as provided in the Wyoming Administrative Procedure
12 Act.

13

14 **27-4-413. Inapplicability and exemptions.**

15

16 The provisions of W.S. 27-4-401 through 27-4-413, are not
17 applicable where in conflict with federal statutes, rules or
18 regulations relating to prevailing wage determinations. All
19 work and labor performed by prisoners, patients and other
20 inmates of state penal, correctional and charitable
21 institutions and city or county jails, are exempt from the
22 provisions of this act. All work and labor performed by
23 workmen regularly employed by ~~the~~a public body are exempt

1 from the provisions of W.S. 27-4-401 through 27-4-413 if the
2 cost of construction ~~does not exceed twenty five thousand~~
3 ~~dollars (\$25,000.00)~~ is less than one hundred thousand
4 dollars (\$100,000.00).

5

6 **28-1-116. Continuous planning; performance budgeting.**

7

8 (c) On or before September 1 of each odd numbered year,
9 each state agency, as defined under W.S. ~~28-1-115(f)~~
10 28-1-115(g), following an opportunity for public review,
11 shall submit to and have approved by the governor a plan as
12 described by W.S. 28-1-115(a)(ii).

13

14 **35-7-1058. Definitions.**

15

16 (a) As used in this ~~article~~ section and W.S. 35-7-1059:

17

18 (iv) "Equipment" or "laboratory equipment" means
19 all products, components or materials of any kind when used,
20 intended for use or designed for use in the manufacture,
21 preparation, production, compounding, conversion or
22 processing of a controlled substance in violation of this

1 ~~article~~section or W.S. 35-7-1059. "Equipment" or "laboratory
2 equipment" includes:

3

4 **35-7-2104. Industrial hemp seed certification; power of
5 department to examine seeds; purchase of samples; authority
6 to make rules; fees and disposition thereof.**

7

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

15

16 **39-11-101. Definitions.**

17

18 (a) As used in this act unless otherwise specifically
19 provided:

20

21 (xviii) "This act" means W.S. 39-11-101 through
22 ~~39-19-111~~39-22-111.

23

1 **40-12-109. Limitation of actions.**

2

3 No action may be brought under this act, except under W.S.
4 ~~40-12-108~~40-12-106, unless the consumer bringing the action
5 gives within the following time limits notice in writing to
6 the alleged violator of the act, (a) within one (1) year after
7 the initial discovery of the unlawful deceptive trade
8 practice, (b) within two (2) years following such consumer
9 transaction, whichever occurs first, and unless the unlawful
10 deceptive trade practice becomes an uncured unlawful
11 deceptive trade practice as defined in this act. The notice
12 required under this section shall state fully the nature of
13 the alleged unlawful deceptive trade practice and the actual
14 damage suffered therefrom. No action may be brought under
15 this act, except under W.S. ~~40-12-108~~40-12-106, unless said
16 action is initiated within one (1) year after the furnishing
17 of notice as required under this section.

18

19 **Section 2.** W.S. 6-2-301(a)(x), 6-3-401(a)(iii),
20 9-3-501(a)(viii), 16-1-201(a)(x), 18-5-302(a)(i), 19-11-101,
21 20-2-303(a)(iv), 21-1-102, 21-3-129(e), 21-16-810(a)(xvi),
22 21-17-121, 24-10-114, 33-24-202(a)(v), 35-7-1058(a)(viii),
23 35-11-531(d), 35-11-1415(a)(x), 37-12-401(a)(viii),

1 39-15-101(a)(xii), 39-15-201(a), 39-15-301(a)(viii),
2 39-16-101(a)(viii), 39-16-201(a), 39-16-301(a)(viii),
3 39-17-101(a)(xxi), 39-17-201(a)(xxv), 39-17-301(a)(xlix) and
4 39-18-101(a)(iii) are repealed.

5

6 **Section 3.** Any other act adopted by the Wyoming
7 legislature during the same session in which this act is
8 adopted shall be given precedence and shall prevail over the
9 amendments in this act to the extent that such acts are in
10 conflict with this act.

11

12 **Section 4.** This act is effective July 1, 2019.

13

14 (END)