

HOUSE BILL NO. HB0247

Law enforcement hiring practices.

Sponsored by: Representative(s) Provenza and Washut and
Senator(s) Landen

A BILL

for

1 AN ACT relating to peace officers; prohibiting the hiring
2 of peace officers with a history of serious misconduct as
3 specified; requiring the revocation of a peace officer
4 certification as specified; providing rulemaking authority;
5 requiring a report; providing a definition; and providing
6 for effective dates.

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

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10 **Section 1.** W.S. 9-1-704 by creating new subsections
11 (m) through (p) is amended to read:

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13 **9-1-704. Qualifications for employment as a peace**
14 **officer; loss of certification; termination from**
15 **employment; reporting.**

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2 (m) Notwithstanding any provision of law to the
3 contrary, no person shall be eligible for appointment as a
4 peace officer when the person was previously employed as a
5 peace officer and the person:

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7 (i) Was dismissed for serious misconduct;

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9 (ii) Voluntarily relinquished his certificate
10 while under investigation for serious misconduct and the
11 commission ultimately found that the person engaged in
12 serious misconduct; or

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14 (iii) Resigned or retired from the person's
15 position while under investigation for serious misconduct
16 and the commission ultimately found that the person engaged
17 in serious misconduct.

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19 (n) If a peace officer resigns or retires from the
20 person's position or voluntarily relinquishes his
21 certificate while under investigation for serious
22 misconduct, the commission shall complete the investigation
23 for serious misconduct.

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2 (o) The commission shall revoke the certificate of
3 any peace officer who is dismissed, resigns or retires
4 under the circumstances specified in subsection (m) of this
5 section. Prior to the revocation of the certificate of any
6 peace officer under this subsection, the peace officer
7 shall be afforded prior written notice with an opportunity
8 to respond and may appeal the revocation in accordance with
9 the Wyoming Administrative Procedure Act.

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11 (p) Any employing agency who investigates a peace
12 officer for serious misconduct, and finds that the peace
13 officer has engaged in that conduct, shall submit a full
14 report along with a copy of all supporting files to the
15 commission. The commission shall maintain the report and
16 files on record to ensure that no person ineligible to be a
17 peace officer pursuant to subsection (m) of this section is
18 granted a certificate.

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20 (q) For the purposes of this section:

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22 (i) "Serious misconduct" means improper or
23 illegal actions taken by a peace officer in connection with

1 the officer's official duties that could result in a
2 miscarriage of justice, including but not limited to a
3 conviction of a crime, unlawful acts of discrimination,
4 fabrication of evidence, excessive use of force, acceptance
5 of a bribe or fraud.

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7 **Section 2.** This act shall only apply to acts on or
8 after the effective date of this act.

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10 **Section 3.** The peace officer standards and training
11 commission shall promulgate all rules necessary to
12 implement the provisions of this act by July 1, 2021.

