

## HOUSE BILL NO. HB0031

Peace officers-records and reporting.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to the administration of government;  
2 requiring personnel files of peace officers, detention  
3 officers, corrections officers and dispatchers to be  
4 available to the peace officer standards and training  
5 commission as specified; making conforming amendments; and  
6 providing for an effective date.

7

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

9

10 **Section 1.** W.S. 9-1-704 by creating a new subsection  
11 (m), 9-1-708 by creating a new subsection (h), 9-1-710 by  
12 creating a new subsection (o) and 16-4-203(d)(iii) are  
13 amended to read:

14

1           **9-1-704. Qualifications for employment as a peace**  
2 **officer; loss of certification for felony conviction;**  
3 **termination from employment.**

4  
5           (m) The portion of a personnel file relevant to any  
6 of the qualifications specified in subsection (b) of this  
7 section or prescribed by the commission under W.S.  
8 9-1-702(f)(iv) or (v) for any person employed as a peace  
9 officer or detention officer by a law enforcement unit  
10 shall be made available to the commission not later than  
11 thirty (30) days after the commission makes a written  
12 request to the employing agency for the personnel file  
13 information. The commission shall request records under  
14 this subsection only for purposes of investigating or  
15 determining a peace officer's or detention officer's  
16 initial certification, continuing certification,  
17 suspension, revocation or termination. The personnel file  
18 information received by the commission under this  
19 subsection shall not be disclosed by the commission to any  
20 other person except as otherwise required by law. If the  
21 employing agency fails to provide the personnel file  
22 information within thirty (30) days of the commission's  
23 written request, the commission may file a petition with

1 the district court for the release of the requested  
2 personnel file information.

3

4 **9-1-708. Certificate required for permanent**  
5 **employment; temporary employment; waiver or modification of**  
6 **training requirements; wages during training; grandfather**  
7 **provisions.**

8

9 (h) The portion of a personnel file relevant to any  
10 of the qualifications specified in W.S. 9-1-704(b) or  
11 prescribed by the commission under W.S. 9-1-702(f)(iv) or  
12 (v) for any person employed as a dispatcher required to be  
13 certified under this section shall be made available to the  
14 commission not later than thirty (30) days after the  
15 commission makes a written request to the employing agency  
16 for the personnel file information. The commission shall  
17 request records under this subsection only for purposes of  
18 investigating or determining a dispatcher's initial  
19 certification, continuing certification, suspension,  
20 revocation or termination. The personnel file information  
21 received by the commission under this subsection shall not  
22 be disclosed by the commission to any other person except  
23 as otherwise required by law. If the employing agency fails

1 to provide the personnel file information within thirty  
2 (30) days of the commission's written request, the  
3 commission may file a petition with the district court for  
4 the release of the requested personnel file information.

5  
6 **9-1-710. Qualifications for employment as a**  
7 **correctional officer; termination of employment;**  
8 **certification without compliance with the requirements of**  
9 **this section.**

10  
11 (o) The portion of a personnel file relevant to any  
12 of the qualifications specified in subsection (b) of this  
13 section or established under W.S. 9-1-702(k)(ii) and  
14 subsection (n) of this section for any person employed as a  
15 certified correctional officer, correctional officer or  
16 part-time correctional officer by the department of  
17 corrections shall be made available to the commission not  
18 later than thirty (30) days after the commission makes a  
19 written request to the department of corrections for the  
20 personnel file information. The commission shall request  
21 records under this subsection only for purposes of  
22 investigating or determining a correctional officer's  
23 initial certification, continuing certification,

1 suspension, revocation or termination. The personnel file  
2 information received by the commission under this  
3 subsection shall not be disclosed by the commission to any  
4 other person except as otherwise required by law. If the  
5 department of corrections fails to provide the personnel  
6 file information within thirty (30) days of the  
7 commission's request, the commission may file a petition  
8 with the district court for the release of the personnel  
9 file information.

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11 **16-4-203. Right of inspection; grounds for denial;**  
12 **access of news media; order permitting or restricting**  
13 **disclosure; exceptions.**

14  
15 (d) The custodian shall deny the right of inspection  
16 of the following records, unless otherwise provided by law:

17  
18 (iii) Personnel files except those files shall  
19 be available to the duly elected and appointed officials  
20 who supervise the work of the person in interest and those  
21 portions of files specified in W.S. 9-1-704(m), 9-1-708(h)  
22 and 9-1-710(o) shall be available and provided to the peace  
23 officer standards and training commission in accordance

1 with W.S. 9-1-704(m), 9-1-708(h) and 9-1-710(o).  
2 Applications, performance ratings and scholastic  
3 achievement data shall be available only to the person in  
4 interest and to the duly elected and appointed officials  
5 who supervise his work. Employment contracts, working  
6 agreements or other documents setting forth the terms and  
7 conditions of employment of public officials and employees  
8 are not considered part of a personnel file and shall be  
9 available for public inspection;

10

11 **Section 2.** This act is effective July 1, 2024.

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(END)