

HOUSE BILL NO. HB0039

Firearms rights-restoration amendments.

Sponsored by: Representative(s) Washut, Banks, Davis,
Filer, Geringer, Harshman, Schmid, Wharff
and Yin and Senator(s) Barlow and Crago

A BILL

for

1 AN ACT relating to crimes and offenses; clarifying the
2 effect of an out-of-state restoration of rights for
3 purposes of rights in Wyoming; and providing for an
4 effective date.

5

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

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8 **Section 1.** W.S. 6-8-102(a) and (c) and
9 6-10-106(a)(iii), (iv) and by creating a new paragraph (v)
10 are amended to read:

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12 **6-8-102. Use or possession of firearm by person**
13 **convicted of certain felony and misdemeanor offenses;**
14 **penalties; exception.**

15

1 (a) Any person who has previously pleaded guilty to
2 or been convicted of committing or attempting to commit a
3 violent felony, and has not been pardoned or has not had
4 the person's rights restored pursuant to W.S. 7-13-105(a)
5 or (f) or the laws of the jurisdiction in which the
6 conviction was entered and who uses or knowingly possesses
7 any firearm is guilty of a felony punishable by
8 imprisonment for not more than three (3) years, a fine of
9 not more than five thousand dollars (\$5,000.00), or both.

10
11 (c) Any person who has previously pleaded guilty to
12 or been convicted of committing or attempting to commit a
13 felony that is not a violent felony and has not been
14 pardoned or has not had the person's rights restored
15 pursuant to W.S. 7-13-105(a) or (f) or the laws of the
16 jurisdiction in which the conviction was entered and who
17 uses or knowingly possesses any firearm is guilty of a
18 misdemeanor punishable by imprisonment for not more than
19 six (6) months, a fine of not more than seven hundred fifty
20 dollars (\$750.00), or both.

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22 **6-10-106. Rights lost by conviction of felony;**
23 **restoration.**

1

2 (a) A person convicted of a felony is incompetent to
3 be an elector or juror or to hold any office of honor,
4 trust or profit within this state or to use or knowingly
5 possess any firearm, unless:

6

7 (iii) His rights are restored pursuant to W.S.
8 7-13-105(a) or (f); ~~or~~

9

10 (iv) His rights as an elector are restored
11 pursuant to W.S. 7-13-105(b) and (c), in which case the
12 person shall remain incompetent to be a juror or to hold
13 any office of honor, trust or profit within this state; ~~or~~ or

14

15 (v) His rights to use and possess firearms are
16 restored pursuant to the laws of the jurisdiction in which
17 the conviction was entered. This paragraph shall not be
18 construed to restore rights to be an elector or juror or to
19 hold any office of honor, trust or profit.

20

1 **Section 2.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

5

6

(END)