

HB0177

**Court supervised treatment programs-
prosecutor's consent.**

Sponsored By: Representative(s) Kirkbride and Senator(s) Anselmi-Dalton and Kost

AN ACT relating to criminal procedure; removing the prosecutorial consent requirement for participation in a court supervised treatment program; specifying applicability; and providing for an effective date.

1/16/2019 Bill Number Assigned
1/17/2019 H Received for Introduction
1/23/2019 H Introduced and Referred to H01 - Judiciary
1/28/2019 H01 - Judiciary:Recommend Amend and Do Pass 8-1-0-0-0

ROLL CALL

Ayes: Representative(s) Burlingame, Gray, Jennings, Kirkbride, Pelkey, Salazar, Stith, Washut

Nays: Representative Pownall

Ayes 8 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

1/28/2019 H Placed on General File

HB0177HS001/ADOPTED

Page 3-line 15 Delete "shall" and insert "may". KIRKBRIDE, CHAIRMAN

1/30/2019 H COW:Passed
1/31/2019 H 2nd Reading:Passed
2/1/2019 H 3rd Reading:Passed 58-0-2-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Edwards, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Greear, Haley, Hallinan, Harshman, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen, Laursen, Lindholm, Loucks, MacGuire, Miller, Newsome, Nicholas, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Yin, Zwonitzer

Excused: Representative(s) Northrup, Simpson

Ayes 58 **Nays** 0 **Excused** 2 **Absent** 0 **Conflicts** 0

2/4/2019 S Received for Introduction
2/5/2019 S Introduced and Referred to S01 - Judiciary
2/8/2019 S01 - Judiciary:Recommend Amend and Do Pass 4-0-1-0-0

ROLL CALL

Ayes: Senator(s) Anselmi-Dalton, Kost, Nethercott, Von Flatern

Excused: Senator Boner

Ayes 4 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

2/8/2019 S Placed on General File

HB0177SS001/FAILED

(TO ENGROSSED COPY)

Page 2-line 22 Delete "by W.S. 7-13-1609(a)(ii)" and insert "in subsection (c) of this section"; delete "Consent to participation".

Page 3-lines 1 and 2 Delete entirely.
Page 3-line 15 After "upon" insert "the".
Page 3-line 16 After "request" insert "of a member of the program team". NETHERCOTT, CHAIRMAN

HB0177SW001/ADOPTED (TO ENGROSSED COPY)

Page 1-line 3 After "applicability;" insert "repealing a provision;".
Page 1-line 9 Delete line through "(ii)" and insert "7-13-1609 by creating a new subsection (d)".
Page 3-lines 7 through 16 Delete entirely including the Senate standing committee amendment (HB0177SS001/AE) to these lines and insert:

"(d) A prosecuting attorney may serve on the program team upon the request of any member of the program team and upon the consent of the prosecuting attorney."

Section 2. W.S. 7-13-1609(a)(ii) is repealed."

Page 3-line 18 Delete "**Section 2.**" and insert "**Section 3.**".
Page 3-line 21 Delete "**Section 3.**" and insert "**Section 4.**". ANSELMI-DALTON

2/19/2019 S COW:Passed
2/20/2019 S 2nd Reading:Passed
2/21/2019 S 3rd Reading:Passed 29-1-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Bebout, Biteman, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

Nays: Senator Baldwin

Ayes 29 Nays 1 Excused 0 Absent 0 Conflicts 0

2/21/2019 H Received for Concurrence
2/22/2019 H Concur:Failed 0-59-1-0-0

ROLL CALL

Nays: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Edwards, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Greear, Haley, Hallinan, Harshman, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen, Laursen, Lindholm, Loucks, MacGuire, Miller, Newsome, Nicholas, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Yin, Zwonitzer

Excused: Representative Northrup

Ayes 0 Nays 59 Excused 1 Absent 0 Conflicts 0

2/22/2019 H Appointed JCC01 Members
Representative(s) Kirkbride, Stith, Washut
2/22/2019 S Appointed JCC01 Members
Senator(s) Anselmi-Dalton, Nethercott, Schuler
2/26/2019 H Adopted HB0177JC001: 57-2-1-0-0

HB0177JC001/HADOPTED (TO ENGROSSED COPY)

Delete the following Senate amendments:

HB0177SW001/AE

Further amend the ENGROSSED COPY as follows:

Page 1-line 8 After "(d)" delete "and".
Page 1-line 9 Delete entirely and insert "is amended to read:".
Page 2-line 21 Delete all new language.
Page 2-line 22 Delete line through "7-13-1609(a)(ii)".
Page 3-lines 4 through 16 Delete entirely.
KIRKBRIDE, STITH, WASHUT, ANSELMI-DALTON, NETHERCOTT, SCHULER

ROLL CALL

Ayes: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Greear, Haley, Hallinan, Harshman, Henderson, Hunt, Kinner, Kirkbride, Larsen, Laursen, Lindholm, Loucks, MacGuire, Miller, Newsome, Nicholas, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Yin, Zwonitzer

Nays: Representative(s) Edwards, Jennings

Excused: Representative Northrup

Ayes 57 **Nays** 2 **Excused** 1 **Absent** 0 **Conflicts** 0

2/27/2019 S Adopted HB0177JC001: 27-2-1-0-0

HB0177JC001/HADOPTEDSADOPTED (TO ENGROSSED COPY)

Delete the following Senate amendments:

HB0177SW001/AE

Further amend the ENGROSSED COPY as follows:

Page 1-line 8 After "(d)" delete "and".
Page 1-line 9 Delete entirely and insert "is amended to read:".
Page 2-line 21 Delete all new language.
Page 2-line 22 Delete line through "7-13-1609(a)(ii)".
Page 3-lines 4 through 16 Delete entirely.
KIRKBRIDE, STITH, WASHUT, ANSELMI-DALTON, NETHERCOTT, SCHULER

ROLL CALL

Ayes: Senator(s) Anderson, Anselmi-Dalton, Baldwin, Bebout, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

Nays: Senator(s) Biteman, Kinskey

Excused: Senator Agar

Ayes 27 **Nays** 2 **Excused** 1 **Absent** 0 **Conflicts** 0

2/27/2019 Assigned Number HEA No. 0121
2/27/2019 H Speaker Signed HEA No. 0121
2/27/2019 S President Signed HEA No. 0121
3/8/2019 Governor Signed HEA No. 0121
3/8/2019 Assigned Chapter Number 195

Chapter No. 195 Session Laws of Wyoming 2019