

SF0076

Warrants for digital records.

Sponsored By: Senator(s) Nethercott, Anselmi-Dalton, Hicks, Kinskey and Kost and Representative(s) Haley, Jennings, Pelkey, Pownall, Stith and Wilson

AN ACT relating to criminal procedure; authorizing warrants to out-of-state providers of electronic communication services and remote computing services; providing procedures; requiring Wyoming providers to comply with out-of-state warrants as specified; providing immunity for compliance; providing definitions; and providing for an effective date.

1/9/2019 Bill Number Assigned
1/10/2019 S Received for Introduction
1/10/2019 S Introduced and Referred to S01 - Judiciary
1/18/2019 S01 - Judiciary:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Anselmi-Dalton, Boner, Kost, Nethercott, Von Flatern
Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

1/18/2019 S Placed on General File

SF0076SS001/ADOPTED

Page 2-line 14 After "records" insert ", location information, transactional records".
Page 3-line 9 After "services" insert "if probable cause exists to believe the records tend to show a crime has been committed or a particular person has committed a crime, or may lead to the discovery of a missing person".
Page 4-line 6 After "including" insert "facsimile,".
Page 4-line 7 Delete "recipient" and insert "provider".
Page 4-line 16 Delete "five (5)" and insert "ten (10)".
Page 4-line 19 Delete "five (5)" and insert "ten (10)".
Page 4-line 21 Delete "five (5)" and insert "ten (10)".
Page 5-after line 13 Insert:
"(ii) If the applicant consents to a request from the provider for additional time to produce the records sought by the warrant and notice is provided to the court by the consenting applicant."
Page 5-line 15 Delete "(ii)" insert "(iii)".
Page 6-line 8 Delete "by" insert "from the court of".
Page 6-line 15 After "from" insert "criminal or".
Page 6-line 22 Delete "Except as provided in W.S. 7-7-106,".
Page 7-line 3 After "property" insert ", except that a warrant pursuant to W.S. 7-7-106 shall be issued by a district court judge". NETHERCOTT, CHAIRMAN

SF0076SW001/ADOPTED

Page 3-line 17 After "subsection" delete "(a)" and insert "(b)".
NETHERCOTT

1/22/2019 S COW:Passed
1/23/2019 S 2nd Reading:Passed

SF0076S3001/ADOPTED

Page 6-after line 16 Insert:

"(h) Any warrant issued under this section shall comply with federal law, including provisions prohibiting, limiting or imposing additional requirements on the use of search warrants.". NETHERCOTT

1/24/2019 S 3rd Reading:Passed 26-2-2-0-0

ROLL CALL

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

Nays: Senator(s) Case, Rothfuss

Excused: Senator(s) Perkins, Wasserburger

Ayes 26 **Nays** 2 **Excused** 2 **Absent** 0 **Conflicts** 0

1/28/2019 H Received for Introduction

2/6/2019 H Introduced and Referred to H01 - Judiciary

2/8/2019 H01 - Judiciary:Recommend Amend and Do Pass 6-3-0-0-0

ROLL CALL

Ayes: Representative(s) Jennings, Kirkbride, Pelkey, Pownall, Stith, Washut

Nays: Representative(s) Burlingame, Gray, Salazar

Ayes 6 **Nays** 3 **Excused** 0 **Absent** 0 **Conflicts** 0

2/8/2019 H Placed on General File

SF0076HS001/ADOPTED

(TO ENGROSSED COPY)

Page 7-line 17

Delete "shall" and insert "may only". KIRKBRIDE,
CHAIRMAN

2/11/2019 H COW:Failed 18-39-3-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Brown, Burkhardt, Duncan, Edwards, Eklund, Eyre, Greear, Jennings, MacGuire, Newsome, Pownall, Roscoe, Stith, Sweeney, Washut, Wilson, Zwonitzer

Nays: Representative(s) Blackburn, Blake, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Flitner, Freeman, Furphy, Gray, Haley, Hallinan, Harshman, Henderson, Hunt, Kinner, Larsen, Laursen, Lindholm, Loucks, Miller, Nicholas, Obermueller, Olsen, Paxton, Piiparinen, Salazar, Schwartz, Simpson, Sommers, Styvar, Tass, Walters, Western, Winter, Yin

Excused: Representative(s) Kirkbride, Northrup, Pelkey

Ayes 18 **Nays** 39 **Excused** 3 **Absent** 0 **Conflicts** 0