

SENATE FILE NO. SF0101

Post-conviction DNA testing-procedure amendments.

Sponsored by: Senator(s) Landen, Case, Crago, Crum and
Nethercott and Representative(s) Brady,
Bratten, Filer, Harshman and Washut

A BILL

for

1 AN ACT relating to criminal procedure; amending the date of
2 conviction for purposes of when a due diligence showing is
3 required before post-conviction DNA testing; and providing
4 for an effective date.

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

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8 **Section 1.** W.S. 7-12-303(d) is amended to read:

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10 **7-12-303. New trial; motion for post-conviction**
11 **testing of DNA; motion contents; sufficiency of**
12 **allegations, consent to DNA sample; definitions.**

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1 (d) The court may not order DNA testing in cases in
2 which the trial or a plea of guilty or nolo contendere
3 occurred after ~~January 1, 2000~~ July 1, 2008 and the person
4 did not request DNA testing or present DNA evidence for
5 strategic or tactical reasons or as a result of a lack of
6 due diligence, unless the failure to exercise due diligence
7 is found to be a result of ineffective assistance of
8 counsel. A person convicted before ~~January 1, 2000~~ July 1,
9 2008 shall not be required to make a showing of due
10 diligence under this subsection.

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12 **Section 2.** This act is effective July 1, 2025.

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(END)