

ENROLLED ACT NO. 51, SENATE

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2003 GENERAL SESSION

AN ACT relating to the board of parole; amending the duties of the board of parole as specified; authorizing the board to hire staff as specified; granting rulemaking authority; providing a definition; specifying that the board is a state agency for purposes of budgeting; providing an appropriation and authorizing additional positions; and providing for an effective date.

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

Section 1. W.S. 7-13-401(a) by creating a new paragraph (xii), (c), (e), (f) and by creating a new subsection (g) and 9-2-2012(d) are amended to read:

7-13-401. Definitions; creation of board; officers; compensation; hearing panels; meetings.

(a) As used in W.S. 7-13-401 through 7-13-421:

(xii) "Executive director" means the executive director of the board.

(c) ~~At the organization~~ Annually at the first meeting of the board, ~~and thereafter when new appointments are made,~~ the members shall elect from their number a chairman and vice-chairman. Any vacancy caused by death, resignation or disqualification of a member of the board shall be filled by the governor for the remainder of the unexpired term of the member. Any vacancy occurring between sessions of the legislature may be filled by the governor in accordance with W.S. 28-12-101(b).

(e) The board shall meet at least quarterly ~~and may meet as often as necessary for the administration and to conduct~~ of the business of the board specified in

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subsection (f) of this section. Except as otherwise provided by subsection (f) of this section, four (4) members constitute a quorum. All matters shall be decided by a majority vote of those in attendance. The board may meet as often as necessary for the administration and conduct of its other business.

(f) Three (3) or more members of the board may constitute a hearing panel empowered to review applications for parole, grant paroles ~~or~~ revoke paroles. Fewer than three (3) members of the board, as may be provided by rule of the board, may withdraw or revoke good time, restore or reinstate good time, ~~and~~ make recommendations to the governor to grant commutations of sentences and review inmate matters, other than the grant or denial of parole, brought before the board. A decision by a majority of the members of a panel under this subsection is the decision of the board.

(g) The board may employ an executive director who shall serve at the pleasure of the board as provided by appropriation of the legislature. The executive director and other staff members shall perform duties as may be assigned by the board.

9-2-2012. Department of corrections created; director appointed; structure.

~~(d) In developing the plan required under W.S. 9-2-1707(a)(iii), the director shall consider the structure and placement of~~ The board of parole shall be deemed a state agency for budgeting purposes pursuant to W.S. 9-2-1001 through 9-2-1026.

Section 2.

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(a) There is appropriated two hundred forty-six thousand nine hundred thirteen dollars (\$246,913.00) from the general fund to the board of parole for the fiscal year beginning July 1, 2003, to implement the purposes of this act. In addition, the board of parole is authorized an additional two (2) full-time positions to implement this act. Of this appropriation, fifty-five thousand two hundred fifty-seven dollars (\$55,257.00) is considered to be one-time appropriations and shall not be included within the board of parole's standard budget request for the 2005-2006 biennium.

(b) Expenditures of amounts appropriated under subsection (a) of this section for leasing office space shall not be expended unless space is not available within state office buildings.

Section 3.

(a) This section is effective only if 2003 Senate File 65 is enacted into law. If 2003 Senate File 65 is enacted into law:

(i) W.S. 7-13-401(f) as amended by section 1 of this act shall be not be effective;

(ii) W.S. 7-13-401(f) as amended by 2003 Senate File 65 shall not be effective; and

(iii) W.S. 7-13-401(f) is amended to read:

7-13-401. Definitions; creation of board; officers; compensation; hearing panels; meetings.

(f) Three (3) or more members of the board may constitute a hearing panel empowered to review applications

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for parole, grant paroles, ~~or~~ revoke paroles. ~~7~~ Fewer than three (3) members of the board, as may be provided by rule of the board, may withdraw or revoke good time, restore or reinstate good time, ~~and~~ make initial determinations of eligibility and restore voting rights pursuant to W.S. 7-13-105(b) and (c), make recommendations to the governor to grant commutations of sentences and review inmate matters, other than the grant or denial of parole, brought before the board. A decision by a majority of the members of a panel under this subsection is the decision of the board.

Section 4. This act is effective July 1, 2003.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk