

HOUSE BILL NO. HB0088

Concealed weapons.

Sponsored by: Representative(s) McOmie, Brown, Martin,
Reese and White and Senator(s) Case and
Decaria

A BILL

for

1 AN ACT relating to crimes and offenses; providing that the
2 offense of wearing or carrying a concealed weapon requires
3 that the weapon be on the defendant's person; authorizing
4 the carrying of concealed weapons in vehicles under
5 specified conditions; providing a grace period for renewal
6 of a concealed weapon permit for returning military
7 personnel as specified; and providing for an effective
8 date.

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

11

12 **Section 1.** W.S. 6-8-104(a)(intro), (ii), (iii), by
13 creating a new paragraph (iv) and (s) is amended to read:

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15 **6-8-104. Wearing or carrying concealed weapons;**

16 **penalties; exceptions; permits.**

1

2 (a) A person who wears or carries on his person a
3 concealed deadly weapon is guilty of a misdemeanor
4 punishable by a fine of not more than seven hundred fifty
5 dollars (\$750.00), imprisonment in the county jail for not
6 more than six (6) months, or both, unless:

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8 (ii) The person possesses a permit under this
9 section;~~or~~

10

11 (iii) The person holds a valid permit
12 authorizing him to carry a concealed firearm authorized and
13 issued by a governmental agency or entity in another state
14 that recognizes Wyoming permits, is a valid statewide
15 permit, and the state has laws similar to the provisions of
16 this section, as determined by the attorney general,
17 including a proper background check of the permit holder;~~or~~

18 or

19

20 (iv) The person is age eighteen (18) years or
21 older and possesses a concealed firearm or other weapon for
22 self-defense or other lawful purpose within the interior of
23 a private conveyance, without a permit, if the firearm or
24 other weapon is securely encased or is otherwise not

1 readily accessible for immediate use. For purposes of this
2 paragraph, "securely encased" means in a glove compartment,
3 snapped in a holster, in a gun case, in a zippered gun case
4 or in a closed box or container which requires a lid or
5 cover to be opened for access. A person knowingly carrying
6 a concealed firearm or other weapon under this paragraph
7 who is stopped, detained, questioned or addressed in person
8 by a peace officer, shall immediately inform the peace
9 officer that he is carrying a concealed firearm or other
10 weapon. The peace officer may take custody of the
11 concealed firearm or other weapon during the duration of
12 the contact between the person and the peace officer if the
13 peace officer determines that the action is necessary for
14 the safety of any person present, including the peace
15 officer.

16
17 (s) The permittee may renew his permit on or before
18 the expiration date by filing with the sheriff of the
19 applicant's county of residence the renewal form, a
20 notarized affidavit stating that the permittee remains
21 qualified pursuant to the criteria specified in this
22 section, and the required renewal fee. The permit shall be
23 renewed to a qualified applicant upon receipt of the
24 completed renewal application, appropriate payment of fees

1 and the division shall verify that the criminal history
2 information available to the division does not indicate
3 that possession of a firearm by the applicant would
4 constitute a violation of state or federal law. A permittee
5 who fails to file a renewal application on or before its
6 expiration date shall renew his permit by paying a late fee
7 of ten dollars (\$10.00). No permit shall be renewed six (6)
8 months or more after its expiration date, and the permit
9 shall be deemed to be permanently expired, except that a
10 permittee on active military duty outside the continental
11 United States when his permit expires may file a renewal
12 form without a late fee within ninety (90) days of
13 returning to the continental United States. A person whose
14 permit has permanently expired may reapply for a permit
15 pursuant to subsections (b) through (e) of this section.

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17 **Section 2.** This act is effective July 1, 2006.

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19

(END)