

SENATE FILE NO. SF0005

Privileged communications.

Sponsored by: Management Council

A BILL

for

1 AN ACT relating to the legislature; specifying  
2 communications deemed confidential; and providing for an  
3 effective date.

4

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

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7 **Section 1.** W.S. 28-8-116 is created to read:

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9 **28-8-116. Confidential communications.**

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11 (a) Unless the privilege is waived by the individual  
12 legislator involved, the following shall be deemed  
13 confidential and privileged:

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15 (i) Communications between a legislator and  
16 legislative staff relating to:

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1                   (A) A request for research or advice on a  
2 legislative issue;

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4                   (B) A request for the drafting of  
5 legislation or amendments to legislation;

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7                   (C) Any matter under consideration by a  
8 legislative committee other than communications made  
9 publicly to legislative staff in a public meeting of the  
10 committee;

11

12                   (D) Development of a legislator's position  
13 on legislation or discussion of any matter arising out of  
14 or relating to the deliberative process of the legislature.

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16                   (ii) All documents and electronic records,  
17 including but not limited to correspondence, e-mail, notes,  
18 memoranda and preliminary or final drafts, received by a  
19 legislator or legislative staff or prepared or assembled by  
20 a legislator or legislative staff in regard to a  
21 communication under paragraph (a)(i) of this section, other  
22 than the introduced version of a bill or amendment  
23 following its introduction;

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1           (iii) Communications between a legislator and a  
2 contractor or consultant retained by the legislature other  
3 than communications made publicly in a public meeting.

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5           (b) Private communications of or to a legislator in  
6 his official capacity including but not limited to  
7 communications with constituents are confidential until  
8 otherwise disclosed by the legislator or the individual who  
9 is party to the communication.

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11           (c) As used in this section, "legislative staff"  
12 means the staff of the legislative service office, session  
13 staff employed by the legislature and legislative interns  
14 and aides.

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16           **Section 2.** This act is effective immediately upon  
17 completion of all acts necessary for a bill to become law  
18 as provided by article 4, section 8 of the Wyoming  
19 Constitution.

20

21

(END)