

SENATE FILE NO. SF0026

Eligibility concealed weapons permit.

Sponsored by: Senator(s) Case and Bebout and
Representative(s) Buchanan, Childers, Miller
and Petersen

A BILL

for

1 AN ACT relating to crimes and offenses; modifying concealed
2 weapons permit eligibility; amending provisions relating to
3 reciprocity of concealed weapons permits; and providing for
4 an effective date.

5

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

7

8 **Section 1.** W.S. 6-8-104(a)(iii), (b)(i), (v) and (vi)
9 is amended to read:

10

11 **6-8-104. Wearing or carrying concealed weapons;**
12 **penalties; exceptions; permits.**

13

14 (a) A person who wears or carries a concealed deadly
15 weapon is guilty of a misdemeanor punishable by a fine of
16 not more than seven hundred fifty dollars (\$750.00),

1 imprisonment in the county jail for not more than six (6)
2 months, or both, unless:

3

4 (iii) The person holds a valid permit
5 authorizing him to carry a concealed firearm authorized and
6 issued by a governmental agency or entity in another state
7 that recognizes Wyoming permits, is a valid statewide
8 permit, and the state has laws ~~similar to~~ that are at least
9 as restrictive in authorizing permits as the provisions of
10 subsection (b) of this section, as determined by the
11 attorney general, including a proper background check of
12 the permit holder.

13

14 (b) The attorney general is authorized to issue
15 permits to carry a concealed firearm to persons qualified
16 as provided by this subsection. The attorney general shall
17 promulgate rules necessary to carry out this section no
18 later than October 1, 1994. Applications for a permit to
19 carry a concealed firearm shall be made available and
20 distributed by the division of criminal investigation and
21 local law enforcement agencies. The permit shall be valid
22 throughout the state for a period of five (5) years from
23 the date of issuance. The permittee shall carry the
24 permit, together with valid identification at all times

1 when the permittee is carrying a concealed firearm and
2 shall display both the permit and proper identification
3 upon request of any peace officer. The attorney general
4 through the division shall issue a permit to any person
5 who:

6
7 (i) Is a resident of the United States and has
8 been a resident of Wyoming for not less than six (6) months
9 prior to filing the application. The Wyoming residency
10 requirements of this paragraph do not apply to any person
11 who holds a valid permit authorizing him to carry a
12 concealed firearm authorized and issued by a governmental
13 agency or entity in another state that recognizes Wyoming
14 permits, is a valid statewide permit, and the state has
15 laws ~~similar to that~~ are at least as restrictive in
16 authorizing permits as the provisions of this ~~section~~
17 subsection, as determined by the attorney general,
18 including a proper background check of the permit holder;

19
20 (v) Has not been:

21
22 (A) Committed to a state or federal
23 facility for the abuse of a controlled substance, ~~or within~~

1 the one (1) year period prior to the date on which
2 application for a permit under this section is submitted;

3
4 (B) Convicted of a felony violation of the
5 Wyoming Controlled Substances Act of 1971, W.S. 35-7-1001
6 through 35-7-1057 or similar laws of any other state or the
7 United States relating to controlled substances and has not
8 been pardoned; or

9
10 (C) Convicted of a misdemeanor violation of
11 the Wyoming Controlled Substances Act of 1971, W.S.
12 35-7-1001 through 35-7-1057 or similar laws of any other
13 state or the United States relating to controlled
14 substances within the one (1) year period prior to the date
15 on which application for a permit under this section is
16 submitted.

17
18 (vi) Does not chronically or habitually use
19 alcoholic liquor and malt beverages to the extent that his
20 normal faculties are impaired. It shall be presumed that an
21 applicant chronically and habitually uses alcoholic
22 beverages to the extent that his normal faculties are
23 impaired if the applicant has been involuntarily committed,
24 within the one (1) year period prior to the date on which

1 application for a permit under this section is submitted,
2 to any residential facility pursuant to the laws of this
3 state or similar laws of any other state as a result of the
4 use of alcohol;

5

6 **Section 2.** This act is effective July 1, 2010.

7

8

(END)