

SENATE FILE NO. SF0109

Freedom of teachers in protecting students.

Sponsored by: Senator(s) Barnard, Case, Coe, Dockstader,  
 Driskill, Hicks and Landen and  
 Representative(s) Eklund, Greene and Teeters

A BILL

for

1 AN ACT relating to school safety and security; allowing  
 2 possession of firearms by teachers on school property;  
 3 creating a process for school districts to approve  
 4 possession of firearms on school property; creating a  
 5 process for revocation of permission to carry firearms on  
 6 school property; requiring minimum qualifications for  
 7 application; requiring training; providing rulemaking  
 8 authority to school districts; making conforming  
 9 amendments; and providing for an effective date.

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

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13 **Section 1.** W.S. 21-3-132 is created to read:

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15 **21-3-132. Possession of firearms on school property.**

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1           (a) The board of trustees in each school district may  
2 adopt rules and regulations to allow possession of firearms  
3 by teachers possessing valid concealed carry permits under  
4 W.S. 6-8-104(a)(ii) on or in any property or facility owned  
5 or leased by the school district in accordance with this  
6 section.

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8           (b) As used in this section, "teacher" means any  
9 person employed under contract by the board of trustees of  
10 a school district as a certified professional employee.

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12           (c) Prior to adoption of any rules and regulations to  
13 allow the possession of firearms in accordance with this  
14 section, the board of trustees shall hold a minimum of two  
15 (2) public hearings, with the time and location of the  
16 hearings published in a newspaper of statewide or local  
17 distribution. The notification shall be published in  
18 advance of the hearings to allow for public participation.  
19 The hearings shall be conducted to receive public comment  
20 on the school district's participation in this program. The  
21 board of trustees shall specifically notify the parents and  
22 guardians of students attending school in the district of  
23 the date, time and nature of the public hearings.

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1           (d) The rules and regulations required by subsection  
2 (a) of this section shall at a minimum:

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4           (i) Establish a process for teachers to apply  
5 and obtain permission to possess or carry a firearm on  
6 school property in accordance with this section;

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8           (ii) Establish a process to conduct a personal  
9 interview of the applicant by the principal of the school  
10 and at least two (2) board trustees. If the applicant is a  
11 principal, the superintendent of the school district shall  
12 interview the applicant together with the two (2) trustees.  
13 The principal or the superintendent and the trustees shall  
14 report to the entire board regarding the contents of the  
15 interview;

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17           (iii) Establish a process to immediately revoke  
18 permission to possess or carry a firearm on school property  
19 upon a finding of reasonable cause by the principal that it  
20 is necessary or if the principal has been granted  
21 permission to carry a firearm, the district superintendent  
22 may revoke permission upon a finding of reasonable cause.  
23 The process shall include a review to be conducted by the  
24 board of trustees of the immediate revocation and shall

1 include an opportunity for the teacher to request  
2 reinstatement and present any information pertinent to the  
3 request. The board of trustees shall ratify the decision  
4 made by the principal or superintendent to revoke  
5 permission to carry a firearm on school property or shall  
6 reinstate permission if deemed appropriate.

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8 (e) Any applicant under this section shall, at a  
9 minimum, meet the following qualifications prior to  
10 applying to any board of trustees for permission to carry  
11 or possess a firearm on school property under this section:

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13 (i) Possess and provide proof of a valid  
14 concealed carry permit granted under W.S. 6-8-104(a)(ii);

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16 (ii) Complete a mental evaluation screening in a  
17 satisfactory manner as prescribed by rule and regulation of  
18 the board of trustees;

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20 (iii) Provide proof of completion of no less  
21 than sixteen (16) hours of firearm training approved by the  
22 peace officer standards and training council. The board of  
23 trustees may establish additional training requirements by  
24 rule and regulation;

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2 (iv) Provide proof of completion of minimum  
3 shooting qualifications and proficiency requirements  
4 established by rule and regulation of the board of  
5 trustees.

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7 (f) Any person granted permission to carry or possess  
8 a firearm on school property pursuant to this section shall  
9 be required to complete continued firearm training as  
10 required by rule and regulation of the board of trustees.  
11 At a minimum, the continued training shall consist of  
12 sixteen (16) hours of firearms training approved by the  
13 peace officer standards every five (5) years.

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15 (g) Any person granted permission to carry or possess  
16 a firearm on school property pursuant to this section shall  
17 maintain the firearm on his person or in a concealed  
18 biometric container or lock box. The container or lock box  
19 shall at all times be within the direct control of the  
20 individual at all times. The individual shall be  
21 responsible for purchase and ownership of the weapon and  
22 frangible ammunition shall be utilized.

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1           (h) Any person granted permission to carry or possess  
2 a firearm on school property pursuant to this section shall  
3 annually complete at least one (1) four (4) hour crisis  
4 management training program. The training shall include  
5 participation of school resource officers, if appropriate,  
6 and all law enforcement agencies with jurisdiction over the  
7 area in which the school is located.

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9           (j) The board of trustees may suspend the program and  
10 permission granted to any individual for a period of three  
11 (3) months to investigate accusations or problems with the  
12 program.

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14           (k) The board of trustees shall maintain a list of  
15 the location and names of all individuals who receive  
16 permission to carry firearms in accordance with this  
17 section. The board of trustees shall notify all law  
18 enforcement agencies with jurisdiction over the area of the  
19 location in which the school is located and names of all  
20 certified personnel with permission to carry firearms on  
21 school property. The list of individuals shall not be  
22 subject to any public record inspection as provided by W.S.  
23 16-4-203(b)(vi).

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1 (m) Nothing in this section shall authorize school  
2 district personnel to carry a firearm, concealed or  
3 otherwise, on or into any facility or other school  
4 district property without the express approval of the board  
5 of trustees and notification of parties as required by this  
6 section.

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8 (n) Nothing in this section shall authorize a student  
9 of a school district to carry a firearm, concealed or  
10 otherwise, on or into any facility or a school district.

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12 **Section 2.** W.S. 6-8-104(t)(vi) and (ix) and 6-8-401(c)  
13 are amended to read:

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15 **6-8-104. Wearing or carrying concealed weapons;**  
16 **penalties; exceptions; permits.**

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18 (t) No person authorized to carry a concealed weapon  
19 pursuant to paragraphs (a)(ii) through (iv) of this section  
20 shall carry a concealed firearm into:

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22 (vi) Any school, college or professional  
23 athletic event not related to firearms, except as provided  
24 in W.S. 21-3-132;

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(ix) Any elementary or secondary school facility, except as provided in W.S. 21-3-132;

**6-8-401. Firearm, weapon and ammunition regulation and prohibition by state.**

(c) The sale, transfer, purchase, delivery, taxation, manufacture, ownership, transportation, storage, use and possession of firearms, weapons and ammunition shall be authorized, regulated and prohibited by the state, and regulation thereof is preempted by the state. Except as authorized by W.S. 15-1-103(a)(xviii) and 21-3-132, no city, town, county, political subdivision or any other entity shall authorize, regulate or prohibit the sale, transfer, purchase, delivery, taxation, manufacture, ownership, transportation, storage, use, carrying or possession of firearms, weapons, accessories, components or ammunition except as specifically provided by this chapter. This section shall not affect zoning or other ordinances which encompass firearms businesses along with other businesses. Zoning and other ordinances which are designed for the purpose of restricting or prohibiting the sale, purchase, transfer or manufacture of firearms or ammunition



1 as a method of regulating firearms or ammunition are in  
2 conflict with this section and are prohibited.

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4 **Section 3.** This act is effective July 1, 2014.

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(END)