

## HOUSE BILL NO. HB0009

Abstracts of court records.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to courts; requiring courts to provide  
2 abstracts of court records to state agencies; specifying  
3 information to be included in abstracts; making conforming  
4 amendments; and providing for an effective date.

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

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8       **Section 1.** W.S. 7-1-102, 7-13-1203(f), 7-19-107(b),  
9 (e)(intro) and by creating new subsections (k) and (m),  
10 23-6-108(b) and by creating a new subsection (c),  
11 31-5-1214(b) and by creating a new subsection (g) and  
12 31-7-126 are amended to read:

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14       **7-1-102. Record of information for ascertaining**  
15 **condition of crime in state.**

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1 All town, city, county and state law enforcement agencies,  
2 district courts, courts of limited jurisdiction, district  
3 attorneys, state adult and juvenile correctional  
4 institutions and state and local probation and parole  
5 agencies shall maintain a public record of crime and  
6 criminals and the operation of the criminal justice system.  
7 The attorney general shall provide uniform forms for  
8 reporting all information necessary to obtain reliable  
9 statistics to ascertain the true condition of the crime  
10 situation in the state. The officer, agency or court shall  
11 furnish the information requested by the attorney general,  
12 except that upon implementation of a case management system  
13 in a circuit or district court that has the capability of  
14 transferring information electronically, the supreme court  
15 shall, on behalf of the circuit or district court, furnish  
16 the abstract of the court record to the attorney general as  
17 required under W.S. 7-19-107(k).

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19 **7-13-1203. Authority to establish teen court program.**

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21 (f) Discharge and dismissal under this section shall  
22 be without adjudication of guilt and is not a conviction  
23 for any purpose. If the original offense charged was a

1 traffic offense, the supreme court shall, on behalf of the  
2 circuit court and within thirty (30) days after the  
3 discharge and dismissal is entered, submit to the  
4 department of transportation an abstract of the court  
5 ~~record of the court evidencing the defendant's successful~~  
6 ~~completion of the teen court program~~ compiled under W.S.  
7 7-19-107(k). If the original offense was a traffic offense  
8 charged in municipal court, the municipal court shall,  
9 within thirty (30) days after the discharge and dismissal  
10 is entered, submit to the department of transportation an  
11 abstract of the court record compiled under W.S.  
12 7-19-107(k). The department shall maintain abstracts  
13 received under this subsection as provided by W.S.  
14 31-5-1214(f).

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16 **7-19-107. Central repository; information to be**  
17 **submitted; audits; interstate exchanges.**

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19 (b) For the purpose of maintaining complete and  
20 accurate criminal history record information at the central  
21 repository, all city, county and state law enforcement  
22 agencies, district courts, courts of limited jurisdiction,  
23 district attorneys, the department of corrections, state

1 juvenile correctional institutions and local probation and  
2 parole agencies shall submit the criminal history record  
3 information required under this section for which they are  
4 responsible to the division for filing at the earliest time  
5 possible following the occurrence of the reportable event.  
6 Except as provided in subsection (k) of this section,  
7 reports shall be submitted on uniform forms approved and  
8 provided by the division.

9  
10 (e) Except as provided in subsection (k) of this  
11 section, all district attorneys and clerks of the district  
12 courts and courts of limited jurisdiction shall furnish the  
13 division with information concerning final dispositions in  
14 criminal cases covered by this act. The information shall  
15 include, for each charge:

16  
17 (k) Upon implementation of a case management system  
18 in a circuit or district court, the supreme court shall, on  
19 behalf of the district or circuit court, furnish  
20 electronically to the division an abstract of the court  
21 record within ten (10) days after entry of a judgment of  
22 conviction or forfeiture of bail. The abstract shall  
23 include:

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(i) The name and address of the person charged;

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(ii) A citation to the statute of each offense

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charged;

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(iii) The finding or disposition of each offense

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charged;

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(iv) The amount of fine, forfeiture or penalty

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imposed, if any, or any changes to the amount;

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(v) Other information as determined and agreed

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upon by the office of the attorney general and the supreme

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court pursuant to rules promulgated by the attorney general

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and the supreme court.

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(m) Nothing in subsection (k) of this section shall

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preclude a state agency from requesting and obtaining

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public court records as provided by court rule.

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**23-6-108. Record of game and fish cases; report of**

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**convictions to department.**

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2 (b) Except as provided in subsection (c) of this  
3 section, within ~~thirty (30)~~ ten (10) days after the  
4 conviction or forfeiture of bail of a person upon a charge  
5 of violating any provision of this act, the judge or clerk  
6 of the court in which the conviction was had or bail was  
7 forfeited, shall forward to the department ~~a certified~~ an  
8 abstract of the ~~record of the~~ court record covering the  
9 case in which the person was convicted or forfeited bail.  
10 The abstract shall be made upon a form furnished by the  
11 department and shall include the name and address of the  
12 party charged, the number of his game or fish license, if  
13 any, the nature of the offense, the date of hearing, the  
14 plea, the judgment, or whether bail was forfeited, and the  
15 amount of fine, forfeiture or penalty imposed.

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17 (c) Upon implementation of a case management system  
18 in a circuit court or district court, the supreme court  
19 shall, on behalf of the circuit court or district court,  
20 furnish the abstract of the court record required under  
21 this section to the department. The abstract furnished  
22 under this section shall include the information required  
23 in W.S. 7-19-107(k).

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2           **31-5-1214. Record of traffic cases; reports of**  
3 **convictions.**

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5           (b) Except as provided in subsection (g) of this  
6 section, within ten (10) days after the conviction or  
7 forfeiture of bail of a person upon a charge of violating  
8 any provisions of this act or other law regulating the  
9 operation of vehicles on highways every clerk of the court  
10 of record in which the conviction was had or bail was  
11 forfeited shall prepare and immediately forward to the  
12 department an abstract of the ~~record of the court~~ record  
13 covering the case in which the person was so convicted or  
14 forfeited bail, which abstract must be certified by the  
15 person required to prepare the same to be true and correct.  
16 Report need not be made of any conviction involving the  
17 illegal parking or standing of a vehicle.

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19           (g) Upon implementation of a case management system  
20 in a circuit court or district court, the supreme court  
21 shall, on behalf of the circuit court or district court,  
22 furnish the abstract of the court record required under  
23 this section to the department. The abstract furnished

1 under this section shall include the information required  
2 in W.S. 7-19-107(k).

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4 **31-7-126. Reporting of convictions and failure to**  
5 **appear by courts.**

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7 (a) Except as provided in subsection (b) of this  
8 section, every court having jurisdiction under any statute  
9 of this state or a municipal ordinance adopted by local  
10 authority regulating the driving of motor vehicles, shall  
11 forward to the division within ten (10) working days from  
12 the date of conviction a record of the conviction of any  
13 person in the court for a violation of any of those laws or  
14 ordinances, other than those regulating standing or parking  
15 of a motor vehicle. The court shall also forward to the  
16 division a report of any violation by any person of a  
17 promise to appear in court as given to the arresting  
18 officer upon the issuance of a traffic citation and any  
19 failure to appear in court at the time specified by the  
20 court. Failure of a court to forward a record of conviction  
21 or violation under this section within the time specified  
22 in this section from the date of conviction or violation  
23 shall not affect the division's authority under this act.



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2       (b) Upon implementation of a case management system  
3 in a circuit court or district court, the supreme court  
4 shall, on behalf of the circuit court or district court,  
5 furnish the abstract of the court record required under  
6 this section to the division. The abstract furnished under  
7 this section shall include the information required in W.S.  
8 7-19-107(k).

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10       **Section 2.** This act is effective July 1, 2020.

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(END)