

SENATE FILE NO. SF0092

Registered sex offender-employment restrictions.

Sponsored by: Senator(s) Ellis and Cooper and
Representative(s) Harshman, Northrup and
Trujillo

A BILL

for

1 AN ACT relating to the regulation of sex offenders;
2 prohibiting sex offenders from applying for and accepting
3 employment and volunteer positions involving minors as
4 specified; providing an exception; specifying penalties;
5 specifying applicability; and providing for an effective
6 date.

7

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

9

10 **Section 1.** W.S. 6-2-321 is created to read:

11

12 **6-2-321. Prohibited employment and volunteer**
13 **positions for adult sex offenders; exception; penalties.**

14

1 (a) Except as provided in subsection (b) of this
2 section, no person who is eighteen (18) years of age or
3 older who is required to register as a sex offender
4 pursuant to W.S. 7-19-302 for an offense involving a minor
5 victim shall:

6

7 (i) Apply for and accept or engage in any paid
8 or unpaid employment or volunteer position that requires
9 the registered offender to interact primarily and directly
10 with co-workers who are minors;

11

12 (ii) Apply for and accept or engage in any paid
13 or unpaid employment or volunteer position that requires
14 the registered offender to provide services primarily and
15 directly to minors who are unaccompanied by parents or
16 guardians.

17

18 (b) The provisions of subsection (a) of this section
19 shall not apply if the registered offender obtains a court
20 order relieving the registered offender from the provisions
21 of subsection (a) of this section, subject to the
22 following:

23

1 (i) The registered offender shall petition the
2 district court for the district in which the offender is
3 registered to be relieved from the provisions of subsection
4 (a) of this section;

5
6 (ii) The petition shall be served on the
7 prosecuting attorney for the county in which the petition
8 is filed. The court shall not grant a petition that was not
9 served on the prosecuting attorney. The prosecuting
10 attorney may file a responsive pleading within thirty (30)
11 days after service of the petition;

12
13 (iii) The petition shall include all of the
14 following:

15
16 (A) A certified copy of the adjudication or
17 conviction requiring registration under W.S. 7-19-302,
18 including a detailed description of the offense;

19
20 (B) A list of each registering agency in
21 each county and jurisdiction in which the registered
22 offender is required to register or has ever been required
23 to register as a sex offender;

1

2 (C) The registered offender's criminal
3 record and an affidavit stating that the registered
4 offender has no pending criminal charges;

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6 (D) Justification as to why the court
7 should grant relief.

8

9 (iv) The court shall hold a hearing prior to
10 ruling on the petition. At the hearing, the registered
11 offender and the prosecuting attorney shall have an
12 opportunity to be heard;

13

14 (v) The court shall issue an order granting
15 relief from the provisions of subsection (a) of this
16 section if the court finds by clear and convincing evidence
17 that the registered offender does not pose a substantial
18 risk of committing any further sex offense involving a
19 minor victim.

20

21 (c) Any person who violates the provisions of
22 subsection (a) of this section is guilty of a misdemeanor
23 and upon conviction, shall be punished by imprisonment for

1 not more than six (6) months, a fine of not more than seven
2 hundred fifty dollars (\$750.00), or both.

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4 **Section 2.** W.S. 7-13-1502(a)(iv)(D) is amended to
5 read:

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7 **7-13-1502. Petition for expungement of records of**
8 **conviction of certain felonies; filing fee; notice;**
9 **objections; hearing; definitions; restoration of rights.**

10

11 (a) A person convicted of a felony or felonies
12 subject to expungement under this section arising out of
13 the same occurrence or related course of events, may
14 petition the convicting court for an expungement of the
15 records of conviction, subject to the following
16 limitations:

17

18 (iv) Felonies subject to expungement under this
19 section shall not include:

20

21 (D) Any offense punishable under W.S.
22 6-2-301 through ~~6-2-320~~ 6-2-321;

23

1 **Section 3.** This act shall apply to employment and
2 volunteer positions that begin on or after July 1, 2024.
3 Nothing in this act is intended to be construed to impact
4 or impair employment or volunteer positions that began
5 before July 1, 2024.

6

7 **Section 4.** This act is effective July 1, 2024.

8

9 (END)