



**SF0109**

**Prohibit Red Flag Gun Seizure Act.**

Sponsored By: Senator(s) Biteman, Bouchard, French, Hutchings, Ide, Laursen, D, McKeown and Salazar and Representative(s) Allemand, Andrew, Hornok, Ottman and Winter

AN ACT relating to the protection of constitutional rights; prohibiting the implementation or enforcement of a red flag gun seizure; preempting local law; providing definitions; providing for a civil action; providing a penalty; waiving sovereign immunity; authorizing attorney's fees; authorizing the attorney general to initiate a civil action; and providing for an effective date.

2/13/2024 Bill Number Assigned  
2/13/2024 S Received for Introduction  
2/16/2024 S Introduced and Referred to S01 - Judiciary 29-2-0-0-0

**ROLL CALL**

**Ayes:** Senator(s) Anderson, Baldwin, Barlow, Biteman, Boner, Bouchard, Brennan, Case, Cooper, Dockstader, Ellis, French, Furphy, Hicks, Hutchings, Ide, Jones, Kinskey, Kolb, Landen, Laursen, Mckeown, Nethercott, Pappas, President Driskill, Salazar, Schuler, Scott, Steinmetz

**Nays:** Senator(s) Gierau, Rothfuss

**Ayes 29 Nays 2 Excused 0 Absent 0 Conflicts 0**

2/16/2024 :Refer to S05 - Agriculture  
2/20/2024 S05 - Agriculture:Recommend Amend and Do Pass 6-0-0-0-0

**ROLL CALL**

**Ayes:** Senator(s) French, Hicks, Ide, Kolb, Laursen, Steinmetz

**Ayes 6 Nays 0 Excused 0 Absent 0 Conflicts 0**

2/20/2024 S Placed on General File

**SF0109SS001/ADOPTED**

Page 7-line 4 After "evidence" insert "or collected". STEINMETZ, CHAIRMAN

2/23/2024 S COW:Passed  
2/26/2024 S 2nd Reading:Passed  
2/27/2024 S 3rd Reading:Passed 31-0-0-0-0

**ROLL CALL**

**Ayes:** Senator(s) Anderson, Baldwin, Barlow, Biteman, Boner, Bouchard, Brennan, Case, Cooper, Dockstader, Ellis, French, Furphy, Gierau, Hicks, Hutchings, Ide, Jones, Kinskey, Kolb, Landen, Laursen, Mckeown, Nethercott, Pappas, President Driskill, Rothfuss, Salazar, Schuler, Scott, Steinmetz

**Ayes 31 Nays 0 Excused 0 Absent 0 Conflicts 0**

2/28/2024 H Received for Introduction  
2/28/2024 H Introduced and Referred to H06 - Travel  
3/1/2024 H06 - Travel:Recommend Amend and Do Pass 8-1-0-0-0

**ROLL CALL**

**Ayes:** Representative(s) Angelos, Burkhardt, Jr, Byron, Larson, Newsome, Singh, Western, Winter

**Nays:** Representative Storer  
**Ayes** 8    **Nays** 1    **Excused** 0    **Absent** 0    **Conflicts** 0

3/1/2024    H Placed on General File

**SF0109HS001/ADOPTED                    (TO ENGROSSED COPY)**

Page 4-line 22                    Delete "or" and insert ",",".

Page 5-line 2                    After "bond" insert ", parole or probation, is subject to an order of involuntary hospitalization under W.S. 25-10-110 or is subject to an order to seize a firearm, ammunition or related accessories under W.S. 23-6-208".

Page 5-line 10                    Delete "or" and insert",",".

Page 5-line 12                    After "bond" insert ", parole or probation, is subject to an order of involuntary hospitalization under W.S. 25-10-110 or is subject to an order to seize a firearm, ammunition or related accessories under W.S. 23-6-208".  
NEWSOME, CHAIRMAN

3/1/2024    H COW:Passed

3/4/2024    H 2nd Reading:Laid Back

**SF0109H2001/ADOPTED                    (TO ENGROSSED COPY)**

Page 1-line 4                    Delete "amending loss of firearms rights".

Page 1-line 5                    Delete "for nonviolent felons;".

Page 1-line 9                    Delete "repealing a crime;".

Page 4-line 19                    Delete "violent".

Page 5-line 7                    Delete "violent".

Page 5-lines 14 and 15            Delete entirely and renumber as necessary.

Page 5-line 17                    Delete "(iii)" and insert "(ii)".

Page 8-line 18                    Delete "and 6-10-106(a)(intro)".

Page 8-line 19                    Delete "are" and insert "is".

Page 9-lines 13 through 20        Delete entirely.

Page 10-line 1                    Delete entirely and renumber as necessary.

Page 10-line 3                    Delete "**Section 4.**" and insert "**Section 3.**". YIN

3/5/2024    H 2nd Reading:Passed

**SF0109H3001/ADOPTED                    (TO ENGROSSED COPY)**

Page 4-line 19                    After "crime," insert "is currently adjudicated to be legally incompetent, has been committed to a mental institution, is an alien who is illegally or unlawfully in the state of Wyoming, has been dishonorably discharged from a branch of the armed forces of the

United States, has been convicted of a crime listed under W.S. 6-2-510(b)(ii) or 6-2-511(b)(ii), is a fugitive from justice under 7-3-213,".

Page 5-line 7 After "crime," insert "is currently adjudicated to be legally incompetent, has been committed to a mental institution, is an alien who is illegally or unlawfully in the state of Wyoming, has been dishonorably discharged from a branch of the armed forces of the United States, has been convicted of a crime listed under W.S. 6-2-510(b)(ii) or 6-2-511(b)(ii), is a fugitive from justice under 7-3-213,". SOMMERS

**SF0109H3002/ADOPTED**

**(TO ENGROSSED COPY)**

Page 1-line 2 Delete entirely.

Page 1-line 3 Delete "authority;".

Page 2-line 2 Delete "9-14-304" and insert "9-14-303".

Page 2-line 8 Delete "9-14-303(b)" and insert "9-14-302(b)"; delete "9-14-304" and insert "9-14-303".

Page 2-lines 18 through 23 Delete entirely.

Page 3-lines 1 through 22 Delete entirely.

Page 4-lines 1 and 2 Delete entirely.

Page 4-line 4 Delete "9-14-303" and insert "9-14-302".

Page 5-line 18 Delete "9-14-304" and insert "9-14-303".

Page 7-line 7 Delete "9-14-304" and insert "9-14-303". NICHOLAS

**ROLL CALL**

**Ayes:** Representative(s) Allred, Berger, Brown, Burkhart, Jr, Byron, Chadwick, Chestek, Clouston, Crago, Davis, Eklund, Henderson, Larsen, Lloyd, Larson, Jt, Lawley, Newsome, Nicholas, Niemiec, Northrup, Oakley, Obermueller, O'hearn, Olsen, Provenza, Sherwood, Stith, Storer, Walters, Wylie, Yin, Zwonitzer, Dan, Zwonitzer, Dave

**Nays:** Representative(s) Allemand, Andrew, Angelos, Banks, Bear, Conrad, Haroldson, Heiner, Hornok, Jennings, Knapp, Locke, Neiman, Ottman, Pendergraft, Penn, Rodriguez-Williams, Singh, Slagle, Smith, Strock, Styvar, Tarver, Trujillo, Ward, Washut, Western, Winter

**Excused:** Representative(s) Harshman, Speaker Sommers

**Ayes** 32    **Nays** 28    **Excused** 2    **Absent** 0    **Conflicts** 0

**SF0109H3003/FAILED**

**(TO ENGROSSED COPY)**

Page 4-line 11 Delete "statute, rule,".

Page 5-line 22 Delete "statute, rule,".

Page 6-line 11 Delete "statute, rule,". NICHOLAS

**ROLL CALL**

**Ayes:** Representative(s) Byron, Chadwick, Chestek, Nicholas, Obermueller, O'hearn, Storer, Walters, Zwonitzer, Dan, Zwonitzer, Dave

**Nays:** Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Berger, Brown, Burkhart, Jr, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Heiner, Henderson, Hornok, Jennings, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Niemiec, Northrup, Oakley, Olsen, Ottman, Pendergraft, Penn, Provenza, Rodriguez-Williams, Sherwood, Singh, Slagle, Smith, Stith, Stroock, Styvar, Tarver, Trujillo, Ward, Washut, Western, Winter, Wylie, Yin

**Excused:** Representative(s) Harshman, Speaker Sommers

**Ayes** 10      **Nays** 50      **Excused** 2      **Absent** 0      **Conflicts** 0

**SF0109H3004/FAILED**

**(TO ENGROSSED COPY)**

- Page 4-line 11      After "rule" delete "," and insert "or"; delete ",  
judicial order or judicial".
- Page 4-line 12      Delete "finding"; after "rule" delete "," and insert  
"or"; after "order" delete ",".
- Page 4-line 13      Delete "judicial order or judicial finding".
- Page 5-line 22      After "rule" delete "," and insert "or".
- Page 5-line 23      Delete ", judicial order or judicial findings".
- Page 6-line 1      After "rule" delete "," and insert "or"; delete ",  
judicial order or".
- Page 6-line 2      Delete "judicial findings".
- Page 6-line 11      After "rule" delete "," and insert "or"; after "order"  
delete ",".
- Page 6-line 12      Delete "judicial order or judicial findings".
- Page 6-line 13      After "rule" delete "," and insert "or"; delete ",  
judicial order or judicial findings". NICHOLAS

**ROLL CALL**

**Ayes:** Representative(s) Berger, Burkhart, Jr, Byron, Chadwick, Chestek, Clouston, Henderson, Larsen, Lloyd, Nicholas, Obermueller, O'hearn, Provenza, Sherwood, Speaker Sommers, Stith, Storer, Walters, Wylie, Yin, Zwonitzer, Dan, Zwonitzer, Dave

**Nays:** Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Brown, Conrad, Crago, Davis, Eklund, Haroldson, Heiner, Hornok, Jennings, Knapp, Larson, Jt, Lawley, Locke, Neiman, Newsome, Niemiec, Northrup, Oakley, Olsen, Ottman, Pendergraft, Penn, Rodriguez-Williams, Singh, Slagle, Smith, Stroock, Styvar, Tarver, Trujillo, Ward, Washut, Western, Winter

**Excused:** Representative Harshman

**Ayes** 21      **Nays** 40      **Excused** 1      **Absent** 0      **Conflicts** 0

**SF0109H3005/FAILED**

**(TO ENGROSSED COPY)**

- Page 6-lines 5 through 18      Delete entirely and renumber as necessary.
- Page 6-line 20      Delete "(d)" and insert "(c)".

Page 6-line 2

Delete "(e)" and insert "(d)". NICHOLAS

**ROLL CALL**

**Ayes:** Representative(s) Chestek, Henderson, Nicholas, Obermueller, O'hearn, Provenza, Sherwood, Storer, Yin

**Nays:** Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Berger, Brown, Burkhardt, Jr, Byron, Chadwick, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Hornok, Jennings, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Niemiec, Northrup, Oakley, Olsen, Ottman, Pendergraft, Penn, Rodriguez-Williams, Singh, Slagle, Smith, Speaker Sommers, Stith, Strock, Styvar, Tarver, Trujillo, Walters, Ward, Washut, Western, Winter, Wylie, Zwonitzer, Dan, Zwonitzer, Dave

**Ayes 9    Nays 53    Excused 0    Absent 0    Conflicts 0**

**SF0109H3006/FAILED (TO ENGROSSED COPY)**

Page 1-line 6 Delete "providing for a civil action; providing a".

Page 1-line 7 Delete entirely.

Page 1-line 8 Delete entirely.

Page 1-line 9 Delete "action;".

Page 2-lines 1 through 8 Delete entirely and insert:

"Section 1. W.S. 9-14-301 through 9-14-303 are created to read:".

Page 5-line 18 Delete "9-14-304" and insert "9-14-303".

Page 7-lines 7 through 23 Delete entirely.

Page 8-lines 1 through 22 Delete entirely including the Yin second reading amendment (SF0109H2001/AE) to these lines.

Page 9-lines 1 through 20 Delete entirely including the Yin second reading amendment (SF0109H2001/AE) to these lines.  
NICHOLAS

**ROLL CALL**

**Ayes:** Representative(s) Chestek, Henderson, Larsen, Lloyd, Nicholas, Obermueller, Provenza, Sherwood, Storer, Yin, Zwonitzer, Dave

**Nays:** Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Berger, Brown, Burkhardt, Jr, Byron, Chadwick, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Hornok, Jennings, Knapp, Larson, Jt, Lawley, Locke, Neiman, Newsome, Niemiec, Northrup, Oakley, O'hearn, Olsen, Ottman, Pendergraft, Penn, Rodriguez-Williams, Singh, Slagle, Smith, Speaker Sommers, Stith, Strock, Styvar, Tarver, Trujillo, Ward, Washut, Western, Winter, Wylie, Zwonitzer, Dan

**Excused:** Representative Walters

**Ayes 10    Nays 51    Excused 1    Absent 0    Conflicts 0**

**SF0109H3007/WITHDRAWN**

3/6/2024 H 3rd Reading:Passed 54-8-0-0-0

**ROLL CALL**

**Ayes:** Representative(s) Allemand, Allred, Andrew, Angelos, Banks, Bear, Berger, Brown, Burkhardt, Jr, Byron, Chadwick, Clouston, Conrad, Crago, Davis, Eklund, Haroldson, Harshman, Heiner, Henderson, Hornok, Jennings, Knapp, Larsen, Lloyd, Larson, Jt, Lawley, Locke, Neiman, Newsome, Niemiec, Northrup, Oakley, O'hearn, Olsen, Ottman, Pendergraft, Penn, Rodriguez-Williams, Singh, Slagle, Smith, Speaker Sommers, Stith, Strock, Styvar, Tarver, Trujillo, Walters, Ward, Washut, Western, Winter, Wylie, Zwonitzer, Dan

**Nays:** Representative(s) Chestek, Nicholas, Obermueller, Provenza, Sherwood, Storer, Yin, Zwonitzer, Dave

**Ayes** 54      **Nays** 8      **Excused** 0      **Absent** 0      **Conflicts** 0

3/7/2024      S Received for Concurrence

3/7/2024      S Concur:Passed 30-0-1-0-0

**ROLL CALL**

**Ayes:** Senator(s) Anderson, Baldwin, Barlow, Biteman, Boner, Bouchard, Brennan, Case, Cooper, Dockstader, French, Furphy, Gierau, Hicks, Hutchings, Ide, Jones, Kinskey, Kolb, Landen, Laursen, Mckeown, Nethercott, Pappas, President Driskill, Rothfuss, Salazar, Schuler, Scott, Steinmetz

**Excused:** Senator Ellis

**Ayes** 30      **Nays** 0      **Excused** 1      **Absent** 0      **Conflicts** 0

3/7/2024      Assigned Number SEA No. 0054

3/7/2024      S President Signed SEA No. 0054

3/7/2024      H Speaker Signed SEA No. 0054