

HB0072H2002

1 Page 1-line 12 Delete "9-25-103" and insert "9-25-104".
2
3 Page 2-line 3 Delete "9-25-103" and insert "9-25-104".
4
5 Page 2-line 4 Delete "9-25-103" and insert "9-25-104".
6
7 Page 2-line 18 Delete "a jail".
8
9 Page 2-line 21 Before "the Wyoming" delete "," and insert
10 "and"; after "girls' school" insert ";" and
11 delete balance of line.
12
13 Page 2-lines 22 and 23 Delete entirely.
14
15 Page 3-after line 16 Insert and renumber as necessary:
16
17 (vi) "Inmate" means any person incarcerated in a county
18 jail;
19
20 (vii) "Jail" means a county operated facility where
21 adults are incarcerated or any county operated or managed youth
22 facility where persons are placed under W.S. 14-6-201 through 14-6-
23 252;".
24
25 Page 3-line 18 Delete "(vi)" and insert "(viii)".
26
27 Page 4-line 5 Delete "(vii)" and insert "(ix)".
28
29 Page 4-line 11 Delete "(viii)" and insert "(x)".
30
31 Page 4-line 16 Delete "(ix)" and insert "(xi)".
32
33 Page 4-line 19 Delete "(x)" and insert "(xii)".
34
35 Page 4-line 22 Delete "(xi)" and insert "(xiii)".
36
37 Page 5-line 2 Delete "(xii)" and insert "(xiv)".
38
39 Page 14-after line 12 Insert:
40
41 **"9-25-104. Jails; changing areas exclusively for members of**
42 **a single sex.**
43
44 (a) In each jail:

1
2 (i) Every shower room, sleeping quarters and restroom
3 shall be designated for use exclusively by males or exclusively by
4 females;

5
6 (ii) Every shower room, sleeping quarters and restroom
7 designated for one (1) sex shall be used only by inmates of that
8 sex;

9
10 (iii) Every shower room, sleeping quarters and restroom
11 may be redesignated if all inmates of the opposite sex vacate the
12 area and the jail provides notice to all employees.

13
14 (b) No inmate shall be placed in a shower room, sleeping
15 quarters or restroom that is designated for males or females unless
16 the inmate is a member of that sex or all members of the opposite
17 sex have been moved to prohibit any visual contact of the person
18 of the opposite sex.

19
20 (c) Nothing in this section shall prohibit a jail employee
21 from entering shower rooms, sleeping quarters or restrooms under
22 one (1) or more of the following circumstances:

23
24 (i) If a jail employee is performing the employee's
25 duties;

26
27 (ii) If there is a disaster or terroristic attack;

28
29 (iii) If it is necessary for the safety and security of
30 the jail; or

31
32 (iv) If it is necessary for a jail employee to establish
33 order or discipline.

34
35 (d) No jail shall be required to clearly post signage
36 indicating the designations for one (1) sex on entry points of
37 shower rooms, sleeping quarters or restrooms if jail employees and
38 inmates are readily aware of the designation for one (1) sex.

39
40 (e) An inmate placed or expressly allowed by a jail employee
41 to enter a shower room, sleeping quarter or restroom when other
42 inmates of the opposite sex are present shall have a cause of
43 action against the jail provided the inmate provides notice to a
44 jail employee of an allegation to allow all video and audio
45 recordings in support of the claim to be retained. A civil action
46 initiated under this subsection shall be brought not later than
47 one (1) year after the violation occurred.

1
2 (f) An inmate not easily identifiable as male or female may
3 be administratively segregated for the safety and security of the
4 inmate and other inmates. An inmate who is administratively
5 segregated under this subsection may be temporarily allowed in a
6 shower room, sleeping quarters or restroom regardless of
7 designation if the inmate is under the direct control of a jail
8 employee and there are no other shower rooms, sleeping quarters or
9 restrooms designated for single occupancy use. An inmate using a
10 shower room, sleeping quarters or restroom under this subsection
11 shall be shielded from visual contact of other inmates who are
12 also using the shower room, sleeping quarters or restroom.

13
14 (g) Nothing in this section shall prohibit an inmate or jail
15 from using any remedies afforded under the Prison Litigation
16 Reduction Act to resolve any violations of this section."
17 WILLIAMS