

ENROLLED ACT NO. 88, SENATE

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2025 GENERAL SESSION

AN ACT relating to criminal procedure; amending the date of conviction for purposes of when a due diligence showing is required before post-conviction DNA testing; and providing for an effective date.

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

Section 1. W.S. 7-12-303(d) is amended to read:

7-12-303. New trial; motion for post-conviction testing of DNA; motion contents; sufficiency of allegations, consent to DNA sample; definitions.

(d) The court may not order DNA testing in cases in which the trial or a plea of guilty or nolo contendere occurred after ~~January 1, 2000~~July 1, 2008 and the person did not request DNA testing or present DNA evidence for strategic or tactical reasons or as a result of a lack of due diligence, unless the failure to exercise due diligence is found to be a result of ineffective assistance of counsel. A person convicted on or before ~~January 1, 2000~~July 1, 2008 shall not be required to make a showing of due diligence under this subsection.

ORIGINAL SENATE
FILE NO. SF0101

ENGROSSED

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Section 2. This act is effective July 1, 2025.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk