

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

ENROLLED ACT NO. 88, SENATE

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

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