

ENROLLED ACT NO. 12, HOUSE OF REPRESENTATIVES

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2026 BUDGET SESSION

AN ACT relating to crimes and offenses; establishing the criminal offense of grooming of a minor for a sexual offense; specifying penalties; providing definitions; making conforming amendments; and providing for an effective date.

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

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

6-2-321. Grooming of minor for sexual offense; definitions; penalties.

(a) As used in this section:

(i) "Electronic communication" means a sign, signal, writing, image, sound, data or intelligence of any nature transmitted or created, in whole or in part, by a wire, radio, electromagnetic, photoelectronic or photo-optical system or on a social media platform, gaming platform or any other digital communication service;

(ii) "Grooming" means behavior, including sending an electronic communication, that seeks to prepare, induce or persuade a minor to engage in sexual conduct or exploitation, even if no meeting or sexual conduct is completed. "Grooming" includes:

(A) Deliberate acts that establish an emotional connection with a minor through manipulation, trust-building or influence to facilitate acts of sexual conduct, sexual abuse or exploitation;

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(B) Online or in-person activities, the use of third parties or indirect methods to facilitate the manipulation of a minor.

(iii) "Sexual conduct" means:

(A) Actual or simulated:

(I) Sexual intercourse, whether between persons of the same or opposite sex;

(II) Penetration of the vagina or rectum by any object, except when done as part of a recognized medical procedure performed by a licensed medical professional;

(III) Bestiality;

(IV) Masturbation;

(V) Sadomasochistic abuse;

(VI) Lewd exhibition of the genitals, breasts, pubic or rectal area or other intimate parts of a person; or

(VII) Defecation or urination for the purpose of the sexual stimulation of the viewer.

(B) The depiction or observation of a child in the nude or in a state of partial undress with the purpose to:

(I) Abuse, humiliate, harass or degrade the child;

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(II) To arouse or gratify the person's own sexual response or desire; or

(III) To arouse or gratify the sexual response or desire of another person.

(iv) "Simulated" means any depiction of the genitals or pubic or rectal area that gives the appearance of sexual conduct or incipient sexual conduct.

(b) A person commits the offense of grooming of a minor for a sexual offense if the person:

(i) Is eighteen (18) years of age or older and not less than four (4) years older than the minor; and

(ii) Purposely or knowingly engages in a pattern of grooming aimed at a minor with the intent to:

(A) Manipulate the minor into engaging in sexual conduct;

(B) Coerce or entice a minor to meet in person to engage in sexual conduct;

(C) Distribute or facilitate access to sexually explicit material; or

(D) Exploit a position of authority to develop an intimate or secretive relationship with a minor.

(c) Except as provided in subsections (d), (e) and (g) of this section, grooming of a minor for a sexual offense is a felony punishable by imprisonment for not more

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than five (5) years, a fine not to exceed ten thousand dollars (\$10,000.00), or both.

(d) A person who commits grooming of a minor for a sexual offense against a minor who is younger than sixteen (16) years of age but older than twelve (12) years of age shall be guilty of a felony punishable by imprisonment for not more than ten (10) years, a fine not to exceed ten thousand dollars (\$10,000.00), or both.

(e) A person who is not less than eighteen (18) years of age who commits the offense of grooming of a minor for a sexual offense against a minor who is less than twelve (12) years of age shall be guilty of a felony punishable by imprisonment for not more than fifteen (15) years, a fine not to exceed fifteen thousand dollars (\$15,000.00), or both.

(f) A person guilty of grooming of a minor for a sexual offense under this section shall:

(i) Complete a sexual offender treatment program provided or approved by the department of corrections;

(ii) Be subject to probation for a period not to exceed ten (10) years.

(g) A person who occupies a position of authority in relation to the victim and who commits the offense of grooming of a minor for a sexual offense shall:

(i) Except as provided in paragraphs (ii) and (iii) of this subsection, be guilty of a felony punishable by imprisonment for not more than ten (10) years, a fine not to exceed ten thousand dollars (\$10,000.00), or both;

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(ii) If the minor is between twelve (12) and sixteen (16) years of age, be guilty of a felony punishable by imprisonment for not more than twenty (20) years, a fine not to exceed twenty thousand dollars (\$20,000.00), or both;

(iii) If the minor is younger than twelve (12) years of age, be guilty of a felony punishable by imprisonment for not more than thirty (30) years, a fine not to exceed thirty thousand dollars (\$30,000.00), or both.

Section 2. W.S. 6-2-301(a) (intro), 7-13-301(a) (intro) and 7-19-302(g) are amended to read:

6-2-301. Definitions.

(a) As used in this article, unless otherwise defined:

7-13-301. Placing person found guilty, but not convicted, on probation.

(a) If a person who has not previously been convicted of any felony is charged with or is found guilty of or pleads guilty or no contest to any misdemeanor except any second or subsequent violation of W.S. 31-5-233 or any similar provision of law, or any second or subsequent violation of W.S. 6-2-510(a) or 6-2-511(a) or any similar provision of law, or any felony except murder, sexual assault in the first or second degree, grooming of a minor for a sexual offense, aggravated assault and battery or arson in the first or second degree, the court may, with the consent of the defendant and the state and without

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entering a judgment of guilt or conviction, defer further proceedings and place the person on probation for a term not to exceed thirty-six (36) months upon terms and conditions set by the court. The terms of probation shall include that he:

7-19-302. Registration of offenders; procedure; verification; fees.

(g) For an offender convicted of a violation of W.S. 6-2-316(a) (i) and (iv), 6-2-321, 6-2-705, 6-4-303(b) (iv) or 6-4-304(b) if the victim was a minor, 18 U.S.C. §§ 2252B, 2252C, 2424 and 2425, an offense in another jurisdiction containing the same or similar elements, or arising out of the same or similar facts or circumstances as a criminal offense specified in this subsection or an attempt or conspiracy to commit any of the offenses specified in this subsection, the division shall annually verify the accuracy of the offender's registered address, and the offender shall annually report, in person, his current address to the sheriff in the county in which the offender resides, during the period in which he is required to register. During the annual in-person verification, the sheriff shall photograph the offender. Confirmation of the in-person verification required under this subsection, along with the photograph of the offender, shall be transmitted by the sheriff to the division within three (3) working days. Any person under this subsection who has not established a residence or is transient, and who is reporting to the sheriff as required under subsection (e) of this section, shall be deemed in compliance with the address verification requirements of this section.

ORIGINAL HOUSE
BILL NO. HB0009

ENGROSSED

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Section 3. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk