

HOUSE BILL NO. HB0060

Attorney general-elected.

Sponsored by: Representative(s) Heiner, Brady, Brown, G,
Hoelt, Lucas and Webb and Senator(s)
Biteman, Boner, Laursen, D, Pearson and
Salazar

A BILL

for

1 AN ACT relating to the administration of government;
2 providing for the election of the attorney general;
3 designating the attorney general as a state elected
4 official; setting the attorney general's term of office;
5 setting the attorney general's salary; providing for
6 filling a vacancy in the position; repealing and modifying
7 provisions for interim appointment; providing for the
8 application of the Ethics and Disclosure Act and other laws
9 to the office of the attorney general and attorney general
10 as a state elected official; amending certain provisions
11 regarding actions the attorney general takes requiring
12 approval of or pursuant to the direction of the governor;
13 prescribing additional duties of the attorney general;

1 making conforming amendments; repealing an obsolete
2 provision; and providing for effective dates.

3
4 *Be It Enacted by the Legislature of the State of Wyoming:*

5
6 **Section 1.** W.S. 9-1-601(a) and (c), 9-5-101(a),
7 22-2-105(a)(ii)(intro) and 22-6-117(a)(iv) are amended to
8 read:

9
10 **9-1-601. Appointment; term; removal; special**
11 **assistant for legislative affairs; qualifications.**

12
13 (a) Until the term of office of the attorney general
14 commences following the 2026 general election, the attorney
15 general of the state of Wyoming shall be appointed by the
16 governor with the advice and consent of the senate in
17 accordance with W.S. 28-12-101 through 28-12-103 and may be
18 removed by the governor as provided in W.S. 9-1-202.
19 Beginning with the 2026 general election and thereafter,
20 the attorney general shall be elected in a statewide
21 election for a term of four (4) years.

1 (c) ~~Prior to his~~ To be eligible for appointment or
2 election, the attorney general shall have been a practicing
3 attorney for at least four (4) years, ~~At the date of~~
4 ~~appointment, he~~ shall be in good standing in the courts of
5 record of this state and shall be a resident and elector of
6 the state.

7
8 **9-5-101. State building commission; composition;**
9 **general powers and duties; conflicts of interest.**

10
11 (a) The ~~five (5) elected state officers~~ governor,
12 secretary of state, state auditor, state treasurer and
13 state superintendent of public instruction shall constitute
14 the state building commission. The governor shall be
15 chairman of the commission, but in ~~his~~ the governor's
16 absence from any meeting, one (1) of the members may act as
17 chairman, and shall preside at the meeting. All votes taken
18 to decide the commission's final action on any matter shall
19 be recorded.

20
21 **22-2-105. Terms of office and offices voted on at**
22 **general elections.**

1 (a) The terms of office and offices voted on at
2 general elections are as follows:

3
4 (ii) Four Year Term. - At the general election
5 in 1974 and in every fourth ~~(4th)~~ year thereafter, there
6 shall be elected the following officers: one (1) governor,
7 one (1) secretary of state, one (1) state treasurer, one
8 (1) state auditor, one (1) superintendent of public
9 instruction, county clerks, county treasurers, county
10 assessors, county coroners, county and prosecuting
11 attorneys, district attorneys, sheriffs, clerks of the
12 district court. At every general election there shall be
13 elected the necessary member or members of the Wyoming
14 senate and county commissioners. At the general election in
15 2026 and at the general election every fourth year
16 thereafter, there shall be elected an attorney general. The
17 question of retention of a circuit court judge or a
18 magistrate of the circuit court shall be submitted:

19
20 **22-6-117. Order of listing offices in partisan**
21 **elections.**

22

1 (a) The major party primary and general partisan
2 election ballots shall contain the offices to be voted on
3 in the following order:

4
5 (iv) Candidates for governor, secretary of
6 state, state auditor, state treasurer, ~~and~~ superintendent
7 of public instruction and, beginning with the 2026 primary
8 and general election, the attorney general;

9
10 **Section 2.** W.S. 1-26-509(k), 1-31-103, 1-35-103(a),
11 1-35-104, 7-3-102, 7-22-101(a)(vi), 7-22-102(a), (b),
12 (c)(intro) and (d), 7-22-108(a), 8-1-102(a)(xii),
13 8-2-101(a)(vi), 9-1-101(b), 9-1-211(a) by creating a new
14 paragraph (vi) and by renumbering (vi) through (viii) as
15 (vii) through (ix), 9-1-602, 9-1-603(b) and (c), 9-1-604,
16 9-1-605(b) through (d), 9-1-608(a) and (b), 9-1-611(c),
17 9-1-618(b)(i), 9-1-633(a) and (b)(intro), 9-1-636(b) and
18 (c)(intro), 9-2-3204(h)(i), 9-3-101(a) by creating a new
19 paragraph (viii), 9-4-218(a)(iii), 9-13-102(a)(xii)(A) and
20 (xvi), 9-13-108(a)(intro), 9-14-101, 9-14-102(c),
21 18-3-902(a), 22-18-111(a)(intro) and (i), 28-1-115(g)(ii),
22 28-12-102(c) and by creating a new subsection (d),

1 35-7-1004, 35-11-1507(a) and 35-21-110(a) are amended to
2 read:

3
4 **1-26-509. Negotiations; scope of efforts to purchase.**

5
6 (k) Attorney's fees and other expenses awarded under
7 this section from a public entity to a condemnee shall be
8 reported by the public entity which paid the fees, to the
9 Wyoming attorney general within sixty (60) days of the
10 award. The Wyoming attorney general shall collect this data
11 and report annually not later than July 31 to the governor
12 joint revenue interim committee and joint judiciary interim
13 committee on the amount of all taxpayer funded fee awards.
14 ~~beginning July 31, 2014.~~ The report shall identify the name
15 of each party to whom an award was made, the name of each
16 counsel of record representing each party to whom an award
17 was made, the public agency which paid each award and the
18 total amount of each award.

19
20 **1-31-103. Commencement of action.**

21
22 The attorney general or a county attorney ~~shall~~ may
23 commence an action ~~when directed by the governor, supreme~~

1 ~~court or legislature, or~~ in accordance with this section
2 when upon complaint or otherwise ~~he~~ the attorney general or
3 county attorney has good reason to believe that such an
4 action can be established by proof. The attorney general
5 may commence an action when requested by the governor,
6 supreme court or legislature. A county attorney shall
7 commence an action when directed by the governor, supreme
8 court or legislature.

9
10 **1-35-103. Violation of state contracts to be reported**
11 **to attorney general; investigation; action to recover**
12 **damages; employment of special assistants.**

13
14 (a) Any officer, board or commission of the state of
15 Wyoming, or their legal counsel, responsible for the
16 enforcement of any contract between the state of Wyoming
17 and any person, having reason to believe that there has
18 been a violation of the terms of the contract to the damage
19 of the state of Wyoming, shall report the matter to the
20 attorney general of the state of Wyoming. The attorney
21 general shall make such investigation of the matter as is
22 necessary. Upon completion of the investigation and finding
23 of probable damages to the state of Wyoming, the attorney

1 general may bring suit in any court of competent
2 jurisdiction to recover all damages that the state of
3 Wyoming may have incurred by reason of the breach of
4 contract, or for any money or other property that may be
5 due on the contract. ~~Subject to the governor's approval he~~
6 The attorney general may employ specially qualified
7 assistants or counsel to aid in any investigation of such
8 action.

9
10 **1-35-104. Actions under control of attorney general;**
11 **settlement or compromise with approval of governor.**

12
13 The attorney general shall control all investigations and
14 actions instituted and conducted ~~in~~on behalf of the state
15 as provided in W.S. 1-35-103 and has full discretionary
16 powers to prosecute all investigations and litigation and,
17 ~~with the approval of the governor,~~ to settle, compromise or
18 dismiss the actions.

19
20 **7-3-102. Appointment of attorney general to represent**
21 **state on joint commissions.**

22

1 The ~~governor shall appoint the~~ attorney general is hereby
2 appointed as the commissioner who shall represent Wyoming
3 upon any joint commission created by Wyoming and any one
4 (1) or more states for the purpose of negotiating and
5 entering into agreements or compacts for cooperative effort
6 and mutual assistance in the prevention of crime and in the
7 enforcement of the respective criminal laws and policies of
8 Wyoming and any other state and for the establishment of
9 agencies deemed desirable for making effective any
10 agreement or compact.

11

12 **7-22-101. Definitions.**

13

14 (a) As used in this article:

15

16 (vi) "~~Five (5)~~ Six (6) state elected officials"
17 means the governor, secretary of state, state auditor,
18 state treasurer, attorney general and superintendent of
19 public instruction;

20

21 **7-22-102. Authority to contract; general conditions.**

22

1 (a) The state or a local government may contract with
2 private entities for the construction, lease (as lessor or
3 lessee), acquisition, improvement, operation, maintenance,
4 purchase or management of facilities and services as
5 provided in this article, but only after receiving the
6 consent of the ~~five (5)~~ six (6) state elected officials as
7 to site, number of beds and classifications of inmates or
8 prisoners to be housed in the facility.

9
10 (b) No contract shall be entered into or renewed
11 unless the contracting governmental entity, with the
12 concurrence of the ~~five (5)~~ six (6) state elected
13 officials, determines the contract offers substantial cost
14 savings to the contracting governmental entity and at least
15 the same quality of services provided by the state or by
16 similar local governments.

17
18 (c) After receiving the majority consent of the ~~five~~
19 ~~(5)~~ six (6) state elected officials as to the site, number
20 of beds and classifications of inmates or prisoners to be
21 housed in the facility, the state or the local government
22 may contract with private entities for the construction,
23 lease (as lessor or lessee), acquisition, improvement,

1 operation, maintenance, purchase or management of
2 facilities, either:

3

4 (d) The state or the local government may reject or
5 return prisoners from outside the state. Prisoners or
6 inmates of out-of-state, nonfederal jurisdictions shall not
7 be incarcerated in any facility operated by a local
8 government entity under this article without the consent of
9 the majority of the ~~five (5)~~ six (6) state elected
10 officials. ~~of this state.~~ At no time shall the number of
11 prisoners from out-of-state, nonfederal jurisdictions
12 incarcerated in a facility operated by a local government
13 entity under this article exceed thirty percent (30%) of
14 the capacity of that facility. Any out-of-state, nonfederal
15 prisoner shall be returned to the jurisdiction of origin to
16 be released from custody by them, outside the state of
17 Wyoming at the appropriate time.

18

19 **7-22-108. Monitoring; right of access.**

20

21 (a) The contracting governmental entity at the
22 contractor's expense, shall employ an individual to be
23 responsible for monitoring all aspects of the private

1 contractor's performance under a contract for the operation
2 of a facility pursuant to W.S. 7-22-102. The individual
3 employed as contract monitor shall be qualified to perform
4 this function by reason of education, training and
5 experience as determined by the ~~five (5)~~ six (6) state
6 elected officials. At a minimum, the contract monitor shall
7 have completed at least the same training required by this
8 article for detention officers and shall have served a
9 minimum of three (3) years as a detention officer. The
10 monitor, with the approval of the contracting governmental
11 entity, shall appoint staff as necessary to assist in
12 monitoring at the facility, which staff shall be at the
13 contractor's expense and will be solely responsible to the
14 contract monitor. The monitor or his designee shall be
15 provided an on-site work area by the contractor, shall be
16 on-site on a daily basis, and shall have access to all
17 areas of the facility and to inmates and staff at all
18 times. The contractor shall provide any and all data,
19 reports and other materials that the monitor determines are
20 necessary to carry out monitoring responsibilities under
21 this section.

22

23 **8-1-102. Definitions.**

1

2 (a) As used in the statutes unless the legislature
3 clearly specifies a different meaning or interpretation or
4 the context clearly requires a different meaning:

5

6 (xii) "Elected state official" means the
7 governor, secretary of state, state auditor, state
8 treasurer, attorney general and superintendent of public
9 instruction;

10

11 **8-2-101. Distribution of statutes, supplements and**
12 **session laws.**

13

14 (a) Statutes, supplements and session laws shall be
15 distributed as provided by contract with the publisher or
16 as directed by the management council, to the following,
17 without charge:

18

19 (vi) One (1) copy to each of the ~~five (5)~~ six
20 (6) elected state ~~officers~~ officials;

21

1 **9-1-101. Location of seat of government; residence of**
2 **state officials; deputies authorized; state superintendent**
3 **of public instruction physical office designation.**

4
5 (b) The governor, secretary of state, state
6 treasurer, state auditor, attorney general and state
7 superintendent of public instruction shall reside and
8 maintain their offices at the seat of government.

9
10 **9-1-211. Vacancy in office of governor; successor**
11 **designated; order of succession; proclamation on**
12 **succession.**

13
14 (a) If the governor is removed, dies, resigns or is
15 unable to act, the state officer appearing highest on the
16 following list who satisfies all constitutional
17 qualifications for governor and is not under impeachment by
18 the house of representatives shall act as governor until
19 the disability of the governor is removed or a new governor
20 is elected and qualified:

21
22 (vi) Attorney general;
23

1 ~~(vi)~~ (vii) State superintendent of public
2 instruction;

3
4 ~~(vii)~~ (viii) Vice-president of the senate;

5
6 ~~(viii)~~ (ix) Speaker pro tem of the house of
7 representatives.

8
9 **9-1-602. Vacancy in office.**

10
11 ~~In case of A~~ vacancy in the office of attorney general ~~the~~
12 ~~governor~~ shall ~~appoint a qualified person to fill the~~
13 ~~vacancy in accordance with the provisions of~~ be filled as
14 provided by W.S. ~~28-12-101(b)~~ 22-18-111, except the vacancy
15 shall also be subject to senate confirmation as provided in
16 W.S. 28-12-101 and 28-12-102.

17
18 **9-1-603. Duties generally; retention of qualified**
19 **practicing attorneys; matters in which county or state is**
20 **party or has interest; assistance to county and district**
21 **attorneys in felony trials; coordination of county and**
22 **school safety activities.**

1 (b) ~~With the approval of the governor~~ The attorney
2 general may retain qualified practicing attorneys to
3 prosecute fee-generating suits for the state if expertise
4 in a particular field is desirable.

5
6 (c) Upon the failure or refusal of any district or
7 county attorney to act in any criminal or civil case or
8 matter in which the county, state or any agency thereof is
9 a party, or has an interest, the attorney general may, at
10 the request of the board of county commissioners of the
11 county involved or of the district judge of the judicial
12 district involved, act on behalf of the county, state or
13 any agency thereof, if after a thorough investigation the
14 action is deemed advisable by the attorney general. The
15 cost of investigation and the cost of any prosecution
16 arising therefrom shall be paid out of the general fund of
17 the county where the investigation and prosecution take
18 place. The attorney general ~~shall~~ may also, ~~upon direction~~
19 ~~of the governor,~~ investigate any matter in any county of
20 the state in which the county, state or any agency thereof
21 may be interested. After investigation, the attorney
22 general shall submit a report of the investigation to ~~the~~
23 ~~governor and to~~ the district or county attorney of each

1 county involved and may take such other action as ~~he~~the
2 attorney general deems appropriate.

3
4 **9-1-604. Office in state capital; private practice**
5 **prohibited; exception.**

6
7 The attorney general shall keep an office in the state
8 capital, shall not open an office elsewhere and shall not
9 engage in any private practice except to consummate
10 business pending at the time of ~~his~~election or appointment
11 if not in conflict with the duties of ~~his~~the office.

12
13 **9-1-605. Approval of public securities and official**
14 **bonds; water rights proceedings; investigation of**
15 **misconduct of county official; commencement of action.**

16
17 (b) ~~Under the direction of the governor~~The attorney
18 general shall institute and pursue proceedings to maintain
19 the state's and its citizens' rights in the waters of
20 interstate streams.

21
22 (c) Upon representation to the ~~governor~~attorney
23 general of misconduct or malfeasance in office or the

1 commission of a crime by any county officer in the state
2 and if the ~~governor~~ attorney general believes the ends of
3 justice demand or the matter will not be properly
4 investigated and prosecuted by the sheriff and by the
5 district attorney of the county, ~~the governor may direct~~
6 the attorney general ~~to~~ may investigate the case.

7
8 (d) Upon completion of the investigation, the
9 attorney general ~~shall report the results of the~~
10 ~~investigation and his recommendations to the governor. If~~
11 ~~the governor and the attorney general determine that the~~
12 ~~attorney general should~~ may institute a criminal or civil
13 action, as the attorney general ~~shall commence the action~~
14 deems appropriate. The attorney general shall have the
15 authority and duty vested in district attorneys in this
16 state.

17
18 **9-1-608. Assistant attorneys general.**

19
20 (a) ~~With the approval of the governor,~~ The attorney
21 general may appoint assistant attorneys general necessary
22 for the efficient operation of his office. Each assistant
23 attorney general shall be a member in good standing of the

1 Wyoming bar and shall serve at the pleasure of the attorney
2 general. The assistants shall act under the direction of
3 the attorney general and his deputies. The attorney
4 general, his deputies or his assistants may appear in any
5 courts of the state or the United States and prosecute or
6 defend on behalf of the state. An appearance by the
7 attorney general or his staff does not waive the sovereign
8 immunity of the state.

9
10 (b) ~~With the approval of the governor~~ The attorney
11 general may appoint special assistant attorneys general for
12 any purposes. A person shall not be employed as an attorney
13 or legal counsel by any department, board, agency,
14 commission or institution of the state, or represent the
15 state in that capacity, except by the written appointment
16 of the attorney general. Written appointment of the
17 attorney general shall not be required for the employment
18 of legal counsel by elected state officials.

19
20 **9-1-611. Division of criminal investigation; created;**
21 **definitions; director; appointment; qualifications.**

1 (c) ~~With the approval of the governor,~~ The attorney
2 general shall appoint a director who is the chief
3 administrative officer and chief agent of the division.

4
5 **9-1-618. Agents to be safeguarded as peace officers;**
6 **general assistance to state, county or local authorities;**
7 **investigative duties.**

8
9 (b) The division shall investigate:

10
11 (i) Suspected criminal activity when directed by
12 the ~~governor~~ attorney general to do so;

13
14 **9-1-633. Wyoming law enforcement academy; director;**
15 **appointment; term; qualifications; employees; salaries;**
16 **curriculum and training programs; fees; disposition.**

17
18 (a) A director of the Wyoming law enforcement academy
19 shall be appointed by the attorney general. ~~with the~~
20 ~~consent of the governor.~~ The director shall serve at the
21 pleasure of the attorney general. ~~He~~ The director shall
22 have administrative and operational experience in criminal

1 justice and such other qualifications as are satisfactory
2 to the attorney general.

3
4 (b) The director may employ assistants, instructors
5 and other personnel as approved by the attorney general.
6 ~~with the consent of the governor.~~ The attorney general may
7 appoint the director as a peace officer, if qualified
8 pursuant to W.S. 9-1-701 through 9-1-707. The director may
9 appoint full-time staff instructors who qualify pursuant to
10 W.S. 9-1-701 through 9-1-707 to perform as peace officers.
11 Persons appointed as peace officers pursuant to this
12 subsection shall be considered peace officers only:

13
14 **9-1-636. Division of victim services; created;**
15 **appointment of director and deputy director; administrative**
16 **and clerical employees; definitions.**

17
18 (b) ~~With the approval of the governor,~~ The attorney
19 general shall appoint a director who is the chief
20 administrative officer of the division. The director is
21 responsible to the attorney general for the operation of
22 the division and shall serve at the pleasure of the
23 attorney general.

1

2 (c) With the consent of the attorney general ~~and the~~
3 ~~governor,~~ and subject to legislative appropriation, the
4 director may:

5

6 **9-2-3204. General services division.**

7

8 (h) The general services division shall:

9

10 (i) Manage and control all state motor vehicles
11 and equipment including their identification, purchase,
12 lease, replacement, repair and permanent assignment, except
13 for state owned or leased vehicles personally used by or
14 assigned to the governor, secretary of state, state
15 auditor, state treasurer, attorney general or
16 superintendent of public instruction;

17

18 **9-3-101. Salaries; amount; date of payment.**

19

20 (a) Salaries for clerk of the supreme court and
21 district court reporters shall be determined by the supreme
22 court as authorized by legislative appropriations. Subject
23 to constitutional limitations the following state officers

1 and members of the judiciary shall receive the salaries
2 indicated by the figures following their respective titles:

3
4 (viii) Attorney General \$175,000.00.

5
6 **9-4-218. Federal natural resource policy account**
7 **created; purposes.**

8
9 (a) There is created an account known as the "federal
10 natural resource policy account." Funds within the account
11 may be expended by the governor on behalf of the state of
12 Wyoming and its local governments, to take any of the
13 actions specified in this subsection related to federal
14 land, water, air, mineral and other natural resource
15 policies which may affect the tax base of the state,
16 wildlife management, state species, recreation, private
17 property rights, water rights or leasehold rights. Funds
18 also may be expended for preparing and participating in
19 environmental impact statements and environmental
20 assessments, including analysis of economic or social and
21 natural or physical environmental effects on the human
22 environment. Funds also may be expended for coordinating
23 and participating in rangeland health assessments pursuant

1 to W.S. 11-2-207. The governor may expend funds from the
2 federal natural resource policy account for:

3
4 (iii) Investigating, initiating, intervening or
5 otherwise participating in litigation, or taking any other
6 legal action by the state, a state agency or the counties
7 of the state individually or jointly, that furthers the
8 purposes of this subsection. In carrying out this
9 subsection, the attorney general, or the counties, with
10 approval of the governor, may retain qualified practicing
11 attorneys to act for the state or the counties, including
12 providing representation in other forums with the federal
13 government or other state or county governments that may
14 preclude or resolve any outstanding issues or attempting to
15 influence pertinent federal legislation;

16
17 **9-13-102. Definitions.**

18
19 (a) As used in this article:

20
21 (xii) "Public employee" means any of the
22 following state employees:

1 (A) The ~~attorney general and the~~ director
2 of any department of the executive branch appointed by the
3 governor under W.S. 9-2-1706, or the director of any
4 legislative agency;

5

6 (xvi) "State office" means the state offices of
7 governor, treasurer, superintendent of public instruction,
8 auditor, secretary of state, attorney general and member of
9 the state legislature;

10

11 **9-13-108. Disclosure required.**

12

13 (a) Not later than January 31 annually, each of the
14 state's ~~five (5)~~ six (6) elected officials and each member
15 of the Wyoming legislature shall file a financial
16 disclosure form with the secretary of state. The form shall
17 be signed by the elected official or legislator filing it
18 and under a certification that it is accurate. Except as
19 otherwise provided in this subsection, the financial
20 disclosure form shall contain the following information
21 current as of January 15 of that year:

22

23 **9-14-101. Second amendment defense.**

1

2 The attorney general may seek to intervene or file an
3 amicus curiae brief in any lawsuit filed in any state or
4 federal court in Wyoming, or filed against any Wyoming
5 citizen or firm in any other jurisdiction for damages for
6 injuries as a result of the use of ~~fire-arms~~firearms that
7 are not defective, if in his judgment, the action endangers
8 the constitutional right of citizens of Wyoming to keep and
9 bear arms. The attorney general is directed to advance
10 arguments that protect the constitutional right to bear
11 arms. ~~Before intervening in any lawsuit pursuant to this~~
12 ~~section, the attorney general shall obtain the approval of~~
13 ~~the governor.~~

14

15 **9-14-102. Unauthorized federal agency actions.**

16

17 (c) The attorney general may seek to take action
18 before the federal environmental protection agency, the
19 federal occupational safety and health administration or
20 any other federal agency or in any state or federal court
21 to stop the enforcement, administration or implementation
22 of rulemaking or other actions taken by ~~those agencies~~any
23 federal agency if, in his judgment, the rulemaking or other

1 action exceeds the authority granted by the United States
2 congress or otherwise rests on questionable authority.

3 ~~Before intervening in or initiating any lawsuit pursuant to~~
4 ~~this section, the attorney general shall obtain the~~
5 ~~approval of the governor.~~

6
7 **18-3-902. Attorney general to commence action;**
8 **petition served with summons; pleading; trial; judgment;**
9 **change of judge.**

10
11 (a) Whenever it appears to the ~~governor~~attorney
12 general on the verified complaint of qualified electors or
13 the board of county commissioners of the county that any
14 county officer is guilty of misconduct or malfeasance in
15 office, ~~he may direct~~ the attorney general ~~to~~may commence
16 and prosecute an action in the district court of the county
17 in which the officer is an official asking for the removal
18 of the officer. The action shall be commenced by the filing
19 of a verified petition in the name of the state of Wyoming
20 signed by the attorney general setting forth the facts
21 constituting the misconduct or malfeasance in office.

1 **22-18-111. Vacancies in other offices; temporary**
2 **appointments.**

3
4 (a) Any vacancy in any other elective office in the
5 state except representative in congress or the board of
6 trustees of a school or community college district, shall
7 be filled by the governing body, or as otherwise provided
8 in this section, by appointment of a temporary successor.

9 Subject to W.S. 28-12-101(b) with respect to the office of
10 attorney general, the person appointed shall serve until a
11 successor for the remainder of the unexpired term is
12 elected at the next general election and takes office on
13 the first Monday of the following January. Provided, if a
14 vacancy in a four (4) year term of office occurs in the
15 term's second or subsequent years after the first day for
16 filing an application for nomination pursuant to W.S.
17 22-5-209, no election to fill the vacancy shall be held and
18 the temporary successor appointed shall serve the remainder
19 of the unexpired term. The following apply:

20
21 (i) If a vacancy occurs in the office of United
22 States senator or in any state office other than the
23 governor, member of the state legislature, the office of

1 justice of the supreme court and the office of district
2 court judge, the governor shall immediately notify in
3 writing the chairman of the state central committee of the
4 political party which the last incumbent represented at the
5 time of his election under W.S. 22-6-120(a)(vii), or at the
6 time of his appointment if not elected to office. The
7 chairman shall call a meeting of the state central
8 committee to be held not later than fifteen (15) days after
9 he receives notice of the vacancy. At the meeting the
10 state central committee shall select and transmit to the
11 governor the names of three (3) persons qualified to hold
12 the office. Within five (5) days after receiving these
13 three (3) names, the governor shall fill the vacancy by
14 temporary appointment of one (1) of the three (3) to hold
15 the office. If the incumbent who has vacated office did
16 not represent a political party at the time of his
17 election, or at the time of his appointment if not elected
18 to office, the governor shall notify in writing the
19 chairman of all state central committees of parties
20 registered with the secretary of state. The state central
21 committees shall submit to the governor, within fifteen
22 (15) days after notice of the vacancy, the name of one (1)
23 person qualified to hold the office. The governor shall

1 also cause to be published in a newspaper of general
2 circulation in the state notice of the vacancy in office.
3 Persons qualified to hold the office who do not belong to a
4 party may, within fifteen (15) days after publication of
5 the vacancy in office, submit a petition signed by one
6 hundred (100) registered voters, seeking consideration for
7 appointment to the office. Within five (5) days after
8 receiving the names of persons qualified to hold the
9 office, the governor shall fill the vacancy by temporary
10 appointment to the office, from the names submitted or from
11 those petitioning for appointment or in the case of the
12 office of the attorney general, the governor shall submit a
13 name or fill the vacancy in accordance with W.S. 28-12-101;
14

15 **28-1-115. Submission of state agency plans to**
16 **legislature; contents; purposes.**
17

18 (g) For purposes of this section and W.S. 28-1-116,
19 "state agency" means:
20

21 (ii) Offices of the ~~five (5) elected state~~
22 ~~officials and the~~ governor, secretary of state, state

1 auditor, state treasurer, attorney general and state
2 superintendent of public instruction; and

3
4 **28-12-102. Senate consideration of gubernatorial**
5 **appointments; procedure; roll call vote required.**

6
7 (c) Except as provided in subsection (d) of this
8 section, if the senate does not consent to a nominee for a
9 given office, the governor shall submit the name, address
10 and biography of another person for senate consideration if
11 the legislature is still in session. If the legislature has
12 adjourned, the governor may make a temporary appointment as
13 provided in W.S. 28-12-101(b). No person rejected by the
14 senate shall be appointed to or serve in, either
15 temporarily or otherwise, the public office for which his
16 nomination was rejected.

17
18 (d) If the senate does not consent to a nominee to
19 fill a vacancy in the office of attorney general submitted
20 by the governor pursuant to W.S. 22-18-111(a)(i), the
21 governor shall submit the name of another person from those
22 provided pursuant to W.S. 22-18-111(a)(i) for senate
23 consideration if the legislature is still in session. If

1 there are no qualified persons remaining for consideration
2 then the process outlined in W.S. 22-18-111(a)(i) shall
3 begin again. If the legislature has adjourned, the governor
4 shall make a temporary appointment as provided in W.S.
5 28-12-101(b) from persons whose names are submitted
6 pursuant to W.S. 22-18-111(a)(i), provided that no person
7 rejected by the senate under this section in the
8 immediately preceding legislative session shall be
9 appointed by the governor to serve in the office of
10 attorney general.

11
12 **35-7-1004. Personnel to administer provisions.**

13
14 The attorney general ~~by and with the consent of the~~
15 ~~governor~~ may employ such personnel as necessary to
16 administer this act. Such personnel shall serve at the
17 pleasure of the attorney general at such compensation as
18 may be approved by the Wyoming personnel division. Said
19 personnel shall be assigned such duties as may be necessary
20 to assist the commissioner in the performance of his
21 responsibilities under this act for the efficient operation
22 of the work of the office.

1 **35-11-1507. Injunction proceedings; penalties.**

2

3 (a) When, in the opinion of the ~~governor~~attorney
4 general, a person is violating or is about to violate any
5 provision of this article, the ~~governor~~attorney general
6 shall ~~direct the attorney general to~~ apply to the
7 appropriate court for an order enjoining the person from
8 engaging or continuing to engage in the activity. Upon a
9 showing that the person has engaged, or is about to engage
10 in the activity, the court may grant a permanent or
11 temporary injunction, restraining order or other order.

12

13 **35-21-110. Statewide protection order registry.**

14

15 (a) The Wyoming attorney general ~~or another agency~~
16 ~~designated by the governor~~ shall establish a statewide
17 registry of protection orders related to domestic violence
18 and shall maintain a complete and systematic record and
19 index of all valid temporary and final civil and criminal
20 court orders of protection.

21

22 **Section 3.** W.S. 9-1-601(b) is repealed.

23

