

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Sex offender registration-registerable offenses.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to criminal procedure; inserting offenses
2 for which convicted offenders must register as a sex
3 offender; repealing a definition associated with sex
4 offender registration; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 7-19-302(g) through (j) is amended to
9 read:

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11 **7-19-302. Registration of offenders; procedure;**
12 **verification; fees.**

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3 STAFF COMMENT

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5 Below is a summary of the offenses that are inserted in the
6 sex-offender registration statutes (W.S. 7-19-302(g), (h),
7 and (j)) that require persons to register as sex offenders:
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- 9 • W.S. 7-19-302(g) (annual registration)
 - 10 ○ Sexual Servitude of an Adult, W.S. 6-2-705
 - 11 ○ Felonious Restraint, W.S. 6-2-202, only if the
 - 12 victim was a minor and if committed by someone
 - 13 who is not the parent or guardian of the victim.
 - 14 (See 34 U.S.C. § 20911(7)(A)-(B)).
 - 15 ○ False Imprisonment, W.S. 6-2-203, only if the
 - 16 victim was a minor and if committed by someone
 - 17 who is not the parent or guardian of the victim.
 - 18 (See 34 U.S.C. § 20911(7)(A)-(B)).
- 19 • W.S. 7-19-302(h) (semi-annual registration)
 - 20 ○ Sexual Servitude of a Minor, W.S. 6-2-706
- 21 • W.S. 7-19-302(j) (quarterly registration)
 - 22 ○ First-Degree Human Trafficking, W.S. 6-2-702
 - 23 ○ Second-Degree Human Trafficking, W.S. 6-2-703

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28 (g) For an offender convicted of a violation of W.S.
29 6-2-202 if the victim was a minor and the offense was
30 committed by someone who is not the victim's parent or
31 guardian, 6-2-203 if the victim was a minor and the offense
32 was committed by someone who is not the victim's parent or
33 guardian, 6-2-316(a)(i) and (iv), 6-2-705, 6-4-303(b)(iv)
34 or W.S.—6-4-304(b) if the victim was a minor, 18 U.S.C. §§
35 2252B, 2252C, 2424 and 2425, an offense in another

1 jurisdiction containing the same or similar elements, or
2 arising out of the same or similar facts or circumstances
3 as a criminal offense specified in this subsection or an
4 attempt or conspiracy to commit any of the offenses
5 specified in this subsection, the division shall annually
6 verify the accuracy of the offender's registered address,
7 and the offender shall annually report, in person, his
8 current address to the sheriff in the county in which the
9 offender resides, during the period in which he is required
10 to register. During the annual in-person verification, the
11 sheriff shall photograph the offender. Confirmation of the
12 in-person verification required under this subsection,
13 along with the photograph of the offender, shall be
14 transmitted by the sheriff to the division within three (3)
15 working days. Any person under this subsection who has not
16 established a residence or is transient, and who is
17 reporting to the sheriff as required under subsection (e)
18 of this section, shall be deemed in compliance with the
19 address verification requirements of this section.

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21 (h) For an offender convicted of a violation of W.S.
22 6-2-304(a)(iii) if the victim was at least fourteen (14)
23 years of age, W.S. 6-2-314(a)(ii) and (iii), 6-2-315(a)(i)

1 and (iii), W.S. 6-2-315(a)(iv) if the victim was thirteen
2 (13) through fifteen (15) years of age, W.S. 6-2-317(a)(i)
3 and (ii) or 6-2-318, W.S. 6-2-706, W.S. 6-4-102 if the
4 person solicited was a minor, W.S. 6-4-103 if the person
5 enticed or compelled was a minor, W.S. 6-4-302(a)(i) if the
6 offense involves the use of a minor in a sexual performance
7 or W.S. 6-4-303(b)(i) through (iii), 18 U.S.C. § 2251, an
8 offense in another jurisdiction containing the same or
9 similar elements, or arising out of the same or similar
10 facts or circumstances as a criminal offense specified in
11 this subsection, an attempt or conspiracy to commit any of
12 the offenses specified in this subsection, or any offense
13 enumerated in subsection (g) of this section if the
14 offender was previously convicted of any offense enumerated
15 in subsection (g) of this section, the division shall
16 verify the accuracy of the offender's registered address,
17 and the offender shall report, in person, his current
18 address to the sheriff in the county in which the offender
19 resides, every six (6) months after the date of the initial
20 release or commencement of parole. If the offender's
21 appearance has changed substantially, and in any case at
22 least annually, the sheriff shall photograph the offender.
23 Confirmation of the in-person verification required by this

1 subsection, and any new photographs of the offender, shall
2 be transmitted by the sheriff to the division within three
3 (3) working days. Any person under this subsection who has
4 not established a residence or is transient, and who is
5 reporting to the sheriff as required under subsection (e)
6 of this section, shall be deemed in compliance with the
7 address verification requirements of this section.

8
9 (j) For an offender convicted of a violation of W.S.
10 6-2-201 if the victim was a minor, W.S. 6-2-302 or 6-2-303,
11 W.S. 6-2-304(a)(iii) if the victim was under fourteen (14)
12 years of age, W.S. 6-2-314(a)(i), W.S. 6-2-314(a)(ii) and
13 (iii) if the victim was less than thirteen (13) years of
14 age, W.S. 6-2-315(a)(ii), W.S. 6-2-315(a)(iii) and (iv) if
15 the victim was less than thirteen (13) years of age, W.S.
16 6-2-316(a)(ii) and (iii), W.S. 6-2-702 or 6-2-703, W.S. 6-
17 4-402, 18 U.S.C. § 2245, or an offense in another
18 jurisdiction containing the same or similar elements, or
19 arising out of the same or similar facts or circumstances
20 as a criminal offense specified in this subsection, an
21 attempt or conspiracy to commit any of the offenses
22 specified in this subsection, any offense enumerated in
23 subsection (h) of this section if the offender was

1 previously convicted of any offense enumerated in
2 subsection (g) of this section or any offense enumerated in
3 subsection (g) or (h) of this section if the offender was
4 previously convicted of any offense enumerated in
5 subsection (h) of this section, the division shall verify
6 the accuracy of the offender's registered address, and the
7 offender shall report, in person, his current address to
8 the sheriff in the county in which the offender resides
9 every three (3) months after the date of the initial
10 release or commencement of parole. If the offender's
11 appearance has changed substantially, and in any case at
12 least annually, the sheriff shall photograph the offender.
13 Confirmation of the in-person verification required by this
14 subsection, and any new photographs of the offender, shall
15 be transmitted by the sheriff to the division within three
16 (3) working days. Any person under this subsection who has
17 not established a residence or is transient, and who is
18 reporting to the sheriff as required under subsection (e)
19 of this section, shall be deemed in compliance with the
20 address verification requirements of this section.

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22 **Section 2.** W.S. 7-19-301(a)(iv) is repealed.

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 3 STAFF COMMENT
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5 W.S. 7-19-301(a)(iv) defines "criminal offense against a
 6 minor." Per the Committee's direction, this definition is
 7 repealed in this bill draft. The definition does not appear
 8 to be used elsewhere in the article concerning sex-offender
 9 registration.

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 11 7-19-301. Definitions.

12
 13 (a) Unless otherwise provided, for the purposes of
 14 this act:

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 16 ~~(iv) "Criminal offense against a minor" means~~
 17 ~~the offenses specified in this paragraph in which the~~
 18 ~~victim is less than eighteen (18) years of age. "Criminal~~
 19 ~~offense against a minor" includes an offense committed in~~
 20 ~~another jurisdiction, including a federal court or courts~~
 21 ~~martial, which, if committed in this state, would~~
 22 ~~constitute a "criminal offense against a minor" as defined~~
 23 ~~in this paragraph. "Criminal offense against a minor"~~
 24 ~~includes:~~

25
 26 ~~(A) Kidnapping under W.S. 6-2-201;~~

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 28 ~~(B) Felonious restraint under W.S. 6-2-202;~~

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 30 ~~(C) False imprisonment under W.S. 6-2-203;~~

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 32 ~~(D) Offenses under W.S. 6-4-101 through 6-~~
 33 ~~4-103 in which a minor is the object of the sexual act or~~
 34 ~~proposed sexual act;~~

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 36 ~~(E) Producing obscene material under W.S.~~
 37 ~~6-4-302 if the offense involves the use of a minor in a~~
 38 ~~sexual performance;~~

39
 40 ~~(F) Soliciting sexual conduct under W.S. 6-~~
 41 ~~2-318;~~

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 43 ~~(G) Sexual exploitation of a child under~~
 44 ~~W.S. 6-4-303;~~

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~~(H) An attempt to commit an offense described in subparagraphs (A) through (G) of this paragraph;~~

~~(J) Human trafficking under W.S. 6-2-702 or 6-2-703 or sexual servitude under W.S. 6-2-705 or 6-2-706.~~

Section 3. This act is effective July 1, 2024.

(END)