

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. [BILL NUMBER]

Registered agents-production of records.

Sponsored by: Joint Corporations, Elections & Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to registered offices and agents; requiring
2 registered agents to provide records to county assessors
3 and county treasurers as specified; requiring county
4 assessors and county treasurers to hold records
5 confidential; specifying a penalty for failure to produce
6 or denial of access to records; and providing for an
7 effective date.

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

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11 **Section 1.** W.S. 17-28-108(d) and by creating a new
12 subsection (f) is amended to read:

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STAFF COMMENT

For reference, the entirety of W.S. 17-28-108 is included in this draft. Subsections that are not amended will be omitted from any final draft.

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17-28-108. Production of records.

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(a) All records maintained pursuant to W.S. 17-28-107 are subject to periodic, special or other examination by the secretary of state or his representatives as deemed necessary or appropriate in investigations.

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(b) The secretary of state may compel production of records required to be maintained pursuant to W.S. 17-28-107 in accordance with the provisions of the Wyoming Administrative Procedure Act.

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(c) The secretary of state shall hold any records obtained pursuant to this section confidential except for information already on file with the secretary of state as part of a public document and information required to be in

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1 the annual report required by W.S. 17-16-1630(a). The
2 secretary of state may release any such confidential
3 information only pursuant to court ordered subpoena or to a
4 bona fide law enforcement agency for use in a criminal
5 investigation.

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7 (d) Failure to produce or denial of access to records
8 maintained pursuant to W.S. 17-28-107 to the secretary of
9 state, a county assessor or a county treasurer on demand or
10 failure to answer a validly issued and enforceable subpoena
11 shall be punishable as provided in W.S. 17-28-109.

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13 (e) Any business entity which provides false records
14 required to be maintained pursuant to W.S. 17-28-107 to the
15 entity's registered agent shall be punished by a fine not
16 exceeding one thousand dollars (\$1,000.00), or by
17 imprisonment not exceeding six (6) months, or both.

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19 (f) A registered agent shall provide records
20 maintained pursuant to W.S. 17-28-107 upon request by a
21 county assessor or county treasurer. No subpoena shall be
22 required to obtain records pursuant to this subsection. A
23 county assessor or county treasurer shall hold any records

1 obtained pursuant to this subsection confidential except
2 for information already on file with the secretary of state
3 as part of a public document and information required to be
4 in the annual report required by W.S. 17-16-1630(a).

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8 **STAFF COMMENT**

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10 **At the Committee's July meeting, the Committee directed LSO**
11 **to limit the entities who can access records maintained**
12 **pursuant to W.S. 17-28-107 to the county assessor, the**
13 **county treasurer, law enforcement and the Secretary of**
14 **State.**

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16 **It may be unnecessary to include the Secretary of State in**
17 **subsection (f) because subsection (a) already states: "All**
18 **records maintained pursuant to W.S. 17-28-107 are subject**
19 **to periodic, special or other examination by the secretary**
20 **of state or his representatives as deemed necessary or**
21 **appropriate in investigations."**

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23 **Similarly, it may be unnecessary to include bona fide law**
24 **enforcement agencies in subsection (f) because subsection**
25 **(c) already authorizes the Secretary of State to release**
26 **confidential records "to a bona fide law enforcement agency**
27 **for use in a criminal investigation."**

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

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34 (END)