DRAFT ONLY
NOT APPROVED FOR INTRODUCTION

HOUSE BILL NO.

Parole eligibility determinations-amendments.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

AN ACT relating to criminal procedure; specifying how the determination of acts that render a person ineligible for parole may be made; and providing for an effective date.

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

Section 1. W.S. 7-13-402(b)(intro) is amended to read:

7-13-402. General powers and duties of board; eligibility for parole; immunity.

(b) A prisoner is not eligible for parole on a sentence if, while serving that sentence, he has been

convicted in the district court or found by a final determination of the Wyoming department of corrections administrative hearing process of having:

(i) Made an assault with a deadly weapon upon any officer, employee or inmate of any institution; or

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STAFF COMMENT

The Board of Parole has suggested the following change to paragraph (i) above:

(i) ~~Made an~~ Committed aggravated assault ~~with a deadly weapon~~ and battery as provided in W.S. 6-2-502 upon any officer, employee or inmate of any institution; or

For reference, the language of W.S. 6-2-502 is included here:

6-2-502. Aggravated assault and battery; female genital mutilation; penalty.

(a) A person is guilty of aggravated assault and battery if he engages in any of the following:

(i) Causes or attempts to cause serious bodily injury to another intentionally, knowingly or recklessly under circumstances manifesting extreme indifference to the value of human life;

(ii) Attempts to cause, or intentionally or knowingly causes bodily injury to another with a deadly weapon;

(iii) Threatens to use a drawn deadly weapon on another unless reasonably necessary in defense of his

person, property or abode or to prevent serious bodily injury to another;

(iv) Intentionally, knowingly or recklessly causes bodily injury to a woman whom he knows is pregnant;

(v) Intentionally, knowingly or recklessly causes female genital mutilation to be performed on a person who has not attained the age of eighteen (18) years.

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(ii) Escaped, attempted to escape or assisted others to escape from any institution.

Section 2. This act is effective July 1, 2027.

(END)