

HOUSE BILL NO. HB0223

Concealed weapons permit issuance.

Sponsored by: Representative(s) Baker, Blake, Jennings and
Lindholm and Senator(s) Bouchard

A BILL

for

1 AN ACT relating to concealed weapons; modifying provisions
2 related to the issuance of a concealed weapon permit;
3 amending provision regarding effect of denial of a permit;
4 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. 6-8-104(a)(iii), (g), (m)(intro) and
9 (ii) is amended to read:

10

11 **6-8-104. Wearing or carrying concealed weapons;**
12 **penalties; exceptions; permits.**

13

14 (a) A person who wears or carries a concealed deadly
15 weapon is guilty of a misdemeanor punishable by a fine of

1 not more than seven hundred fifty dollars (\$750.00),
2 imprisonment in the county jail for not more than six (6)
3 months, or both for a first offense, or a felony punishable
4 by a fine of not more than two thousand dollars
5 (\$2,000.00), imprisonment for not more than two (2) years,
6 or both, for a second or subsequent offense, unless:

7

8 (iii) The person holds a valid permit
9 authorizing him to carry a concealed firearm authorized and
10 issued by a governmental agency or entity in another state
11 that recognizes Wyoming permits and is a valid statewide
12 permit. A permit issued in another state shall not be a
13 valid statewide permit if the person holding the permit has
14 been denied a permit under this section and remains
15 ineligible for a permit under this section; or

16

17 (g) The sheriff of the applicant's county of
18 residence shall submit a written report to the division
19 containing any information that he feels may be pertinent
20 to ~~the issuance of a permit to any~~ whether an applicant
21 meets the requirements of subsections (b) through (e) of
22 this section. ~~The written report shall state facts known to~~
23 ~~the sheriff which establish reasonable grounds to believe~~

1 ~~that the applicant has been or is reasonably likely to be a~~
2 ~~danger to himself or others, or to the community at large~~
3 ~~as a result of the applicant's mental or psychological~~
4 ~~state, as demonstrated by a past pattern or practice of~~
5 ~~behavior, or participation in incidents involving a~~
6 ~~controlled substance, alcohol abuse, violence or threats of~~
7 ~~violence as these incidents relate to criteria listed in~~
8 ~~this section. The written report shall be made within~~
9 ~~thirty (30) days after the date the sheriff receives the~~
10 ~~copy of the application. The sheriff of the applicant's~~
11 ~~county of residence shall notify the chief of police, if~~
12 ~~any, of the applicant's place of residence of the~~
13 ~~application for a concealed firearm permit by the~~
14 ~~applicant. The chief of police shall submit written~~
15 ~~comments to the division under the guidelines prescribed in~~
16 ~~this section. Submitted comments~~ A report under this
17 section shall not be considered a public record.

18

19 (m) The division shall, upon receipt of any report
20 provided under subsection (g) of this section, mail a copy
21 of the report to the applicant by first class mail unless
22 release of the report would disclose the existence of an
23 active law enforcement investigation other than an

1 investigation related solely to the application. The
2 division shall include in the mailing, notice that the
3 applicant has a right to submit, within fifteen (15) days,
4 any additional information regarding any fact or other
5 information contained within the report. The division shall
6 within sixty (60) days after the date of receipt of the
7 items listed in subsection (e) of this section, either:

8
9 (ii) Deny the application based on the ground
10 that the applicant fails to qualify under the criteria
11 listed in this section. ~~or upon reasonable grounds for~~
12 ~~denial specified under subsection (g) of this section.~~ If
13 the division denies the application, it shall notify the
14 applicant in writing, stating the grounds for denial and
15 informing the applicant of a right to submit, within thirty
16 (30) days, any additional documentation relating to the
17 grounds of denial. Upon receiving any additional
18 documentation, the division shall reconsider its decision
19 and inform the applicant within twenty (20) days of the
20 result of the reconsideration. The applicant shall further
21 be informed of the right to seek review of the denial in
22 the district court pursuant to the Wyoming Administrative
23 Procedure Act, W.S. 16-3-101 through 16-3-115. ~~No person~~

1 ~~who is denied a permit under this section shall carry a~~
2 ~~concealed firearm under a permit issued in another state,~~
3 ~~so long as he remains a resident of this state, and he~~
4 ~~remains ineligible for a permit in this state.~~

5

6 **Section 2.** This act is effective July 1, 2017.

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8

(END)