

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 applicant. The written
21 report shall state complete and specific facts known to the
22 sheriff which establish reasonable grounds to believe that
23 the applicant has been or is reasonably likely to be a

1 danger to himself or others, or to the community at large
2 as a result of the applicant's mental or psychological
3 state, as demonstrated by a past pattern or practice of
4 behavior, or participation in incidents involving a
5 controlled substance, alcohol abuse, violence or threats of
6 violence. ~~as~~ The report shall identify how the factual
7 basis for each incident reported was established, including
8 whether the information was found in records of the
9 sheriff's office or of another governmental entity, and
10 specify how the sheriff believes these incidents relate to
11 criteria listed in this section. The written report shall
12 be made within thirty (30) days after the date the sheriff
13 receives the copy of the application. The sheriff of the
14 applicant's county of residence shall notify the chief of
15 police, if any, of the applicant's place of residence of
16 the application for a concealed firearm permit by the
17 applicant. The chief of police shall submit written
18 comments to the division ~~under~~ in accordance with the
19 guidelines prescribed in this section. Submitted comments
20 shall not be considered a public record but shall be made
21 available to the applicant as provided in paragraph (m)(ii)
22 of this section.

23

1 (m) The division shall, upon receipt of any report or
2 comments provided under subsection (g) of this section,
3 mail a copy of the report or comments to the applicant by
4 first class mail unless release of the report or comments
5 would disclose the existence of an active law enforcement
6 investigation other than an investigation related solely to
7 the application. The division shall include in the mailing,
8 notice that the applicant has a right to submit, within
9 fifteen (15) days, any additional information regarding any
10 fact or other information contained within the report and
11 comments. The division shall within sixty (60) days after
12 the date of receipt of the items listed in subsection (e)
13 of this section, either:

14
15 (ii) Deny the application based on the ground
16 that the applicant fails to qualify under the criteria
17 listed in this section or upon ~~reasonable grounds for~~
18 ~~denial specified~~ a determination by the division that the
19 specific and complete facts reported under subsection (g)
20 of this section, together with any subsequent investigation
21 by the division, establish reasonable grounds to believe
22 the criteria of that subsection have been met. If the
23 division denies the application, it shall notify the

1 applicant in writing, stating the specific facts
2 establishing grounds for denial, together with reference to
3 the specific statutory ground for denial, and informing the
4 applicant of a right to submit, within thirty (30) days,
5 any additional documentation disputing any fact provided or
6 otherwise relating to the grounds of denial. Upon receiving
7 any additional documentation, the division shall reconsider
8 its decision and inform the applicant within twenty (20)
9 days of the result of the reconsideration. The applicant
10 shall further be informed of the right to seek review of
11 the denial in the district court pursuant to the Wyoming
12 Administrative Procedure Act, W.S. 16-3-101 through
13 16-3-115. ~~No person who is denied a permit under this~~
14 ~~section shall carry a concealed firearm under a permit~~
15 ~~issued in another state, so long as he remains a resident~~
16 ~~of this state, and he remains ineligible for a permit in~~
17 ~~this state.~~

18

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

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(END)