

ORIGINAL HOUSE
BILL NO. HB0125

ENROLLED ACT NO. 49, HOUSE OF REPRESENTATIVES

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2024 BUDGET SESSION

AN ACT relating to concealed weapons; repealing gun free zones; providing for the carrying of concealed weapons as specified; creating a criminal offense for prohibiting entry to a person carrying a concealed weapon as specified; clarifying that only the state legislature may regulate firearms, weapons and ammunition; providing for exceptions; amending a definition; requiring rulemaking; and providing for an effective date.

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

Section 1. W.S. 6-8-105 is created to read:

6-8-105. Exceptions for state issued concealed carry permits; penalty.

(a) This section shall be known as and may be cited as the "Wyoming Repeal Gun Free Zones Act."

(b) Persons lawfully carrying concealed weapons in Wyoming under W.S. 6-8-104(a)(ii) through (iv) may carry a concealed weapon in the following places:

(i) Any meeting of a governmental entity;

(ii) Any meeting of the legislature or a committee thereof.

(c) Persons lawfully carrying concealed weapons in Wyoming under W.S. 6-8-104(a)(ii) may carry a concealed weapon in the following places:

(i) Any public school, public college or university athletic event taking place on public property that does not sell alcoholic beverages;

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(ii) Any public elementary or secondary school facility;

(iii) Any public college or university facility.

(d) Nothing in this section shall be construed to:

(i) Allow the carrying of a concealed weapon where otherwise prohibited under W.S. 6-8-104(t);

(ii) Prohibit a private property owner from restricting firearms on his private property;

(iii) Prohibit a governmental entity from prohibiting the open carry, display or wearing of a firearm into a meeting of that governmental entity;

(iv) Allow the carrying of a concealed weapon into facilities where otherwise prohibited by law;

(v) Allow the carrying of a concealed weapon within state agency operated health and human services settings, health and human services facilities that are licensed by the department of family services or health and human services facilities that are certified by the behavioral health division of the department of health to provide residential services;

(vi) Allow the carrying of a concealed weapon within any facility where explosive or volatile materials are present.

(e) Any person who knowingly prohibits entry to another person to lawfully carrying a concealed weapon into

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a place authorized pursuant to subsections (b) or (c) of this section, unless otherwise prohibited under subsection (d) of this section, when the person would otherwise be permitted entry is guilty of a misdemeanor punishable by imprisonment for not more than one (1) year, a fine of not more than two thousand dollars (\$2,000.00), or both.

(f) The board of trustees in each school district may adopt rules and regulations to govern employees lawfully carrying concealed weapons in Wyoming under W.S. 6-8-104 on or in any property or facility owned or leased by the school district. Any rules and regulations adopted under this subsection shall only apply to persons who are employees, as defined by subsection (g) of this section. The rules under this subsection shall:

(i) Require any person carrying a firearm pursuant to this section to maintain the firearm on his person at all times or in a concealed biometric container or lock box within the direct control of the individual at all times;

(ii) Establish ongoing training requirements, curricula and instructor qualifications, subject to approval by local law enforcement, including:

(A) An initial course of training comprised of not less than sixteen (16) hours of live fire handgun training, and eight (8) hours of scenario based training using nonlethal training, firearms and ammunition; and

(B) Annual firearm qualification and documented recurrent training of not less than twelve (12) hours with an approved instructor.

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(g) For purposes of subsection (f) of this section, "employee" means any person employed by a school district, including but not limited to, superintendents, assistant superintendents, principals, assistant principals, teachers, guidance counselors, librarians, teacher's aids, coaches, business managers, secretaries or administrative assistants, janitors, bus drivers or other employees of a school district.

(h) The board of trustees in any school district may waive all or part of the training requirements of subsection (f)(ii) of this section for isolated rural schools and employees in those schools.

Section 2. W.S. 6-8-104(t)(ix), 6-8-401(c) and 6-8-403(a)(vii) are amended to read:

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

(t) No person authorized to carry a concealed weapon pursuant to paragraphs (a)(ii) through (iv) of this section shall carry a concealed firearm into:

(ix) Any elementary or secondary school facility, ~~except as provided in W.S. 21-3-132~~ if the person is enrolled as a student at any elementary or secondary school;

6-8-401. Firearm, weapon and ammunition regulation and prohibition by state.

(c) The sale, transfer, purchase, delivery, taxation, manufacture, ownership, transportation, storage, use and possession of firearms, weapons and ammunition shall be

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authorized, regulated and prohibited by the state, and regulation thereof is preempted by the legislature of the state of Wyoming. Except as authorized by W.S. 15-1-103(a)(xviii) and ~~21-3-132~~23-1-302, no state agency or entity, city, town, county, political subdivision or any other entity shall authorize, regulate or prohibit the sale, transfer, purchase, delivery, taxation, manufacture, ownership, transportation, storage, use, carrying or possession of firearms, weapons, accessories, components or ammunition except as specifically provided by this chapter. This section shall not affect zoning or other ordinances which encompass firearms businesses along with other businesses. Zoning and other ordinances which are designed for the purpose of restricting or prohibiting the sale, purchase, transfer or manufacture of firearms or ammunition as a method of regulating firearms or ammunition are in conflict with this section and are prohibited.

6-8-403. Definitions.

(a) As used in this act:

(vii) "This act" means W.S. ~~6-8-401~~6-8-402 through 6-8-406;

Section 3. W.S. 6-8-104(t)(iv) through (vi) and (x) and 21-3-132 are repealed.

Section 4. The state building commission shall begin promulgating any rules necessary to administer this act not later than thirty (30) days after the effective date of this act.

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Section 5. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk