

HOUSE BILL NO. HB0031

Peace officers-records and reporting.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to the administration of government;
2 requiring personnel files of peace officers, detention
3 officers, corrections officers and dispatchers to be
4 available to the peace officer standards and training
5 commission as specified; making conforming amendments; and
6 providing for an effective date.

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

9

10 **Section 1.** W.S. 9-1-704 by creating a new subsection
11 (m), 9-1-708 by creating a new subsection (h), 9-1-710 by
12 creating a new subsection (o) and 16-4-203(d)(iii) are
13 amended to read:

14

1 **9-1-704. Qualifications for employment as a peace**
2 **officer; loss of certification for felony conviction;**
3 **termination from employment.**

4
5 (m) The portion of a personnel file that is
6 specifically related to a complaint and relevant to any of
7 the qualifications specified in subsection (b) of this
8 section or prescribed by the commission under W.S.
9 9-1-702(f)(iv) or (v) for any person employed as a peace
10 officer or detention officer by a law enforcement unit
11 shall be made available to the commission not later than
12 thirty (30) days after the commission makes a written
13 request to the employing agency for the personnel file
14 information. The commission shall request records under
15 this subsection only for purposes of investigating or
16 determining a peace officer's or detention officer's
17 initial certification, continuing certification,
18 suspension, revocation or termination. The personnel file
19 information received by the commission under this
20 subsection shall not be disclosed by the commission to any
21 other person except as otherwise required by law. If the
22 employing agency fails to provide the personnel file
23 information within thirty (30) days of the commission's

1 written request, the commission may file a petition with
2 the district court for the release of the requested
3 personnel file information.

4
5 **9-1-708. Certificate required for permanent**
6 **employment; temporary employment; waiver or modification of**
7 **training requirements; wages during training; grandfather**
8 **provisions.**

9
10 (h) The portion of a personnel file that is
11 specifically related to a complaint and relevant to any of
12 the qualifications specified in W.S. 9-1-704(b) or
13 prescribed by the commission under W.S. 9-1-702(f)(iv) or
14 (v) for any person employed as a dispatcher required to be
15 certified under this section shall be made available to the
16 commission not later than thirty (30) days after the
17 commission makes a written request to the employing agency
18 for the personnel file information. The commission shall
19 request records under this subsection only for purposes of
20 investigating or determining a dispatcher's initial
21 certification, continuing certification, suspension,
22 revocation or termination. The personnel file information
23 received by the commission under this subsection shall not

1 be disclosed by the commission to any other person except
2 as otherwise required by law. If the employing agency fails
3 to provide the personnel file information within thirty
4 (30) days of the commission's written request, the
5 commission may file a petition with the district court for
6 the release of the requested personnel file information.

7
8 **9-1-710. Qualifications for employment as a**
9 **correctional officer; termination of employment;**
10 **certification without compliance with the requirements of**
11 **this section.**

12
13 (o) The portion of a personnel file that is
14 specifically related to a complaint and relevant to any of
15 the qualifications specified in subsection (b) of this
16 section or established under W.S. 9-1-702(k)(ii) and
17 subsection (n) of this section for any person employed as a
18 certified correctional officer, correctional officer or
19 part-time correctional officer by the department of
20 corrections shall be made available to the commission not
21 later than thirty (30) days after the commission makes a
22 written request to the department of corrections for the
23 personnel file information. The commission shall request

1 records under this subsection only for purposes of
2 investigating or determining a correctional officer's
3 initial certification, continuing certification,
4 suspension, revocation or termination. The personnel file
5 information received by the commission under this
6 subsection shall not be disclosed by the commission to any
7 other person except as otherwise required by law. If the
8 department of corrections fails to provide the personnel
9 file information within thirty (30) days of the
10 commission's request, the commission may file a petition
11 with the district court for the release of the personnel
12 file information.

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14 **16-4-203. Right of inspection; grounds for denial;**
15 **access of news media; order permitting or restricting**
16 **disclosure; exceptions.**

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18 (d) The custodian shall deny the right of inspection
19 of the following records, unless otherwise provided by law:

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21 (iii) Personnel files except those files shall
22 be available to the duly elected and appointed officials
23 who supervise the work of the person in interest and those

1 portions of files specified in W.S. 9-1-704(m), 9-1-708(h)
2 and 9-1-710(o) that are specifically related to a complaint
3 shall be available and provided to the peace officer
4 standards and training commission in accordance with W.S.
5 9-1-704(m), 9-1-708(h) and 9-1-710(o). Applications,
6 performance ratings and scholastic achievement data shall
7 be available only to the person in interest and to the duly
8 elected and appointed officials who supervise his work.
9 Employment contracts, working agreements or other documents
10 setting forth the terms and conditions of employment of
11 public officials and employees are not considered part of a
12 personnel file and shall be available for public
13 inspection;

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15 **Section 2.** This act is effective July 1, 2024.

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(END)