

HOUSE BILL NO. HB0112

Battery against a family member.

Sponsored by: Representative(s) Barbuto, Buchanan,  
Connolly, Davison, Krone and Throne and  
Senator(s) Hastert

A BILL

for

1 AN ACT relating to crimes and offenses; removing time  
2 restrictions relating to second and subsequent convictions  
3 for simple battery against a family member as specified;  
4 modifying application of provisions; amending penalties for  
5 subsequent convictions; and providing for an effective  
6 date.

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

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10 **Section 1.** W.S. 6-2-501(f)(i) and (ii) is amended to  
11 read:

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13 **6-2-501. Simple assault; battery; penalties.**

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1           (f) A household member as defined by W.S. 35-21-102  
2 who commits a second or subsequent battery against any  
3 other household member shall be punished as follows:

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5           (i) A person convicted upon a plea of guilty or  
6 no contest or found guilty of a second offense under this  
7 subsection against any other household member, after having  
8 been convicted upon a plea of guilty or no contest or found  
9 guilty of a violation of W.S. 6-2-501(a), (b), (e), ~~through~~  
10 ~~(g)~~ (f) or (g)(ii), 6-2-502, 6-2-503, 6-2-504 or other  
11 substantially similar law of this or any other state, tribe  
12 or territory against any other household member ~~within the~~  
13 ~~previous five (5) years~~ is guilty of a misdemeanor  
14 punishable by imprisonment for not more than one (1) year,  
15 a fine of not more than one thousand dollars (\$1,000.00),  
16 or both. Notwithstanding any other provision of law, the  
17 term of probation imposed by a court under this paragraph  
18 may exceed the maximum term of imprisonment established for  
19 this offense under this paragraph provided the term of  
20 probation, together with any extension thereof, shall in no  
21 case exceed two (2) years;

22  
23           (ii) A person convicted upon a plea of guilty or  
24 no contest or found guilty of a third or subsequent offense

1 under this subsection against any other household member,  
2 after having been convicted upon a plea of guilty or no  
3 contest or found guilty of a violation of W.S. 6-2-501(a),  
4 (b), (e), ~~through (g)~~ (f) or (g)(ii), 6-2-502, 6-2-503,  
5 6-2-504 or other substantially similar law of this or any  
6 other state, tribe or territory against any other household  
7 member ~~within the previous ten (10) years~~ is guilty of a  
8 felony punishable by imprisonment for not more than ~~five~~  
9 ~~(5)~~ ten (10) years, a fine of not more than ~~two thousand~~  
10 ~~dollars (\$2,000.00)~~ ten thousand dollars (\$10,000.00), or  
11 both.

12

13 **Section 2.** This act is effective July 1, 2012.

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(END)