

HOUSE BILL NO. HB0152

Sex offenders-child care facilities.

Sponsored by: Representative(s) Ottman, Andrew, Angelos, Banks, Knapp, Northrup, Penn, Trujillo and Winter and Senator(s) Hutchings

A BILL

for

1 AN ACT relating to crimes and offenses; prohibiting sex
2 offenders from accessing or residing near child care
3 facilities as specified; providing exceptions; providing a
4 definition; and providing for an effective date.

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

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8 **Section 1.** W.S. 6-2-320(a)(intro), by creating new
9 paragraphs (v) through (vii), (e) by creating a new
10 paragraph (iii) and by creating a new subsection (f) is
11 amended to read:

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13 **6-2-320. Prohibited access to school and child care**
14 **facilities by adult sex offenders; exceptions; penalties;**
15 **definitions.**

1

2 (a) Except as provided in ~~subsection~~subsections (b)
3 and (f) of this section, no person who is eighteen (18)
4 years of age or older who is required to register as a sex
5 offender pursuant to W.S. 7-19-302 shall:

6

7 (v) Be upon or remain on the premises of any
8 child care facility in this state when the registered
9 offender has reason to believe children under the age of
10 eighteen (18) years are present at the child care facility
11 for the purpose of receiving temporary child care or
12 because the children reside in a group home for children;

13

14 (vi) Knowingly loiter on a public way within one
15 thousand (1,000) feet from the property line of a child
16 care facility in this state when the registered offender
17 has reason to believe children under the age of eighteen
18 (18) years are present at the child care facility for the
19 purpose of receiving temporary child care or because the
20 children reside in a group home for children;

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22 (vii) Reside within one thousand (1,000) feet of
23 the property on which a child care facility is located,

1 measured from the nearest point of the exterior wall of the
2 registered offender's dwelling unit to the child care
3 facility's property line, except that this paragraph shall
4 not apply if the registered offender established residence
5 at the location prior to July 1, 2024 or prior to the date
6 on which the child care facility was established at the
7 location.

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9 (e) As used in this section:

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11 (iii) "Child care facility" means:

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13 (A) A building at which a person licensed
14 or certified under the provisions of W.S. 14-4-101 through
15 14-4-111 provides child care or operates a group home for
16 children;

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18 (B) A facility which is administered or
19 supervised by a governmental entity, including the state,
20 local governments or school districts, and which provides:

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1 (I) Child care at the request of the
2 parents, legal guardians or an agency responsible for the
3 children; or

4
5 (II) Residential care to children in a
6 group home at the request of the parents, legal guardians
7 or an agency responsible for the children.

8
9 (f) The provisions of paragraphs (a)(v) through (vii)
10 of this section shall not apply to the extent the
11 registered sex offender:

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13 (i) Is dropping off or picking up a child and
14 the registered offender is the child's parent or legal
15 guardian;

16
17 (ii) With the written permission of the child
18 care facility owner, operator, administrator or person with
19 equivalent authority, is attending an event or activity
20 planned by the child care facility with facility staff
21 present when the registered offender is a parent or legal
22 guardian of a child who is participating in the event or
23 activity;

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(iii) Is temporarily at the child care facility for the purpose of making a mail, food or other delivery;

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(iv) Works in a multipurpose building that includes a child care facility;

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(v) Is exercising his right to vote in a public election;

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11

(vi) Resides at a state licensed or certified facility for incarceration, health or convalescent care that is within one thousand (1,000) feet from the property on which a child care facility is located;

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(vii) Stays at a homeless shelter or resides at a recovery facility that is within one thousand (1,000) feet from the property on which a child care facility is located if the shelter or facility has been approved for sex offenders by the county sheriff or city police chief in which the shelter or facility is located.

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

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(END)