

SENATE FILE NO. SF0028

Sex offender termination of duty to register-amendments.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to criminal history records; clarifying
2 that time when a sex offender was not required to register
3 under law shall count toward the registration periods for
4 purposes of seeking discretionary relief from the
5 registration requirement; requiring notice of filed
6 petitions for relief to the division of criminal
7 investigation; authorizing the division to file responsive
8 pleadings; specifying applicability; and providing for an
9 effective date.

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

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13 **Section 1.** W.S. 7-19-304(a)(i), (ii)(intro) and (iii)
14 is amended to read:

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16 **7-19-304. Termination of duty to register.**

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2 (a) The duty to register under W.S. 7-19-302 shall
3 begin on the date of sentencing and continue for the
4 duration of the offender's life, subject to the following:

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6 (i) An offender specified in W.S. 7-19-302(g) or
7 adjudicated as a delinquent for offenses specified in W.S.
8 7-19-302(j), who has been registered for at least ten (10)
9 years, exclusive of periods of confinement and periods in
10 which the offender was not registered as required by law
11 but inclusive of any other period of time that an offender
12 was not required to register under this act, may petition
13 the district court for the district in which the offender
14 is registered to be relieved of the duty to continue to
15 register if the offender has maintained a clean record as
16 provided in subsection (d) of this section. Upon a showing
17 that the offender has maintained a clean record as provided
18 in subsection (d) of this section for ten (10) years, the
19 district court may order the offender relieved of the duty
20 to continue registration;

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22 (ii) An offender specified in W.S. 7-19-302(h)
23 who has been registered for at least twenty-five (25)

1 years, exclusive of periods of confinement and periods in
2 which the offender was not registered as required by law
3 but inclusive of any other period of time that an offender
4 was not required to register under this act, may petition
5 the district court for the district in which the offender
6 is registered to be relieved of the duty to continue to
7 register if the offender has maintained a clean record as
8 provided in subsection (d) of this section. Upon a showing
9 that the offender has maintained a clean record as provided
10 in subsection (d) of this section for twenty-five (25)
11 years, the district court may order the offender relieved
12 of the duty to continue registration; and

13

14 (iii) A petition filed under this subsection
15 shall be served on the division and the prosecuting
16 attorney for the county in which the petition is filed.
17 The court shall not grant a petition that was not served on
18 the prosecuting attorney or the division. The prosecuting
19 attorney and the division may file a responsive pleading
20 within thirty (30) days after service of the petition.

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1 **Section 2.** The provisions of this act shall apply to
2 all offenders sentenced before, on or after the effective
3 date of this act.

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5 **Section 3.** This act is effective immediately upon
6 completion of all acts necessary for a bill to become law
7 as provided by Article 4, Section 8 of the Wyoming
8 Constitution.

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10

(END)