

ENROLLED ACT NO. 47, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

AN ACT relating to criminal history records; requiring statistical reports relating to sexual assault biological evidence and the status of laboratory analysis; providing for publication; amending payment obligations for examination costs; prohibiting the destruction of evidence as specified; providing definition; making conforming amendments; and providing for effective dates.

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

Section 1. W.S. 7-19-407 is created to read:

7-19-407. Sexual assault biological evidence reports.

(a) Beginning January 1, 2020, each criminal justice agency shall report to the division all investigations in which sexual assault biological evidence is gathered. The report shall include the type of crime involved, whether the evidence was submitted to a laboratory for analysis, the name of the lab, whether lab analysis has been completed, and if not submitted, the reasons for nonsubmission and any other information required by the division. Reports shall not include the names of any of the persons involved in an incident or any information which would serve to identify any individual person.

(b) At least annually, the division shall compile a statistical report that shall include the information received pursuant to subsection (a) of this section. Copies of the statistical report shall be published in the "Uniform Crime Reporting, Crime in Wyoming" publication and shall be made available to the public upon request.

Section 2. W.S. 6-2-309(g)(intro) and by creating a new subsection (n) and 7-19-401(a) by creating a new paragraph

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(xii) and by amending and renumbering (xii) as (xiii) are amended to read:

6-2-309. Medical examination of victim; costs; use of report; minors; rights of victims; reimbursement.

(g) Except as provided by subsection (j) of this section, the costs of any examination relating to the investigation or prosecution of a sexual assault shall be billed to and paid by the victim services division of the office of the attorney general contingent upon available funding. The victim services division shall promulgate any rules necessary to effectuate payments required under this subsection. If victim services division funds are no longer available to meet the purposes of this subsection, the cost of any examination relating to the investigation or prosecution of sexual assault shall be billed to and paid by the investigating law enforcement agency. These examination costs shall include the following:

(n) No evidence collected under subsection (a) of this section shall be destroyed until all applicable statutes of limitation have expired or a court orders the destruction.

7-19-401. Definitions.

(a) For purposes of this act:

(xii) "Sexual assault biological evidence" includes DNA samples and evidence gathered during an examination conducted under W.S. 6-2-309;

(xii)(xiii) "This act" means W.S. 7-19-401 through 7-19-406-7-19-407.

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Section 3. On or before September 1, 2019, the division shall prescribe a form for the report required by W.S. 7-19-407(a) and promulgate any rules necessary to effectuate the reporting required by this act.

Section 4.

(a) Except as provided in subsection (b) of this section, this act is effective July 1, 2019.

(b) Sections 3 and 4 of this act are 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 Senate.

Chief Clerk