## SENATE FILE NO. SF0072

Burglary	

Sponsored by: Senator(s) Case, Burns and Hicks and Representative(s) Kroeker and Walters

## A BILL

for

- 1 AN ACT relating to crimes and offenses; modifying penalties
- 2 and other provisions relating to the offense of burglary;
- 3 and providing for an effective date.

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

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- 7 **Section 1.** W.S. 6-3-301(b) and (d) is amended to
- 8 read:

9

10 6-3-301. Burglary; aggravated burglary; penalties.

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- 12 (b) Except as provided in subsection (c) of this
- 13 section, burglary is:

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- 15 (i) A misdemeanor punishable by imprisonment for
- 16 not more than one (1) year, a fine of not more than one

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1	thousand dollars (\$1,000.00), or both if all of the
2	following conditions are met:
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4	(A) No theft, or a theft of property with a
5	value of less than one thousand dollars (\$1,000.00), was
6	committed in the course of committing the burglary;
7	
8	(B) No felony was committed in the course
9	of committing the crime of burglary; and
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11	(C) The building, structure, vehicle or
12	separately secured portion thereof:
13	
14	(I) Was not in fact occupied by any
15	person other than the actor or any person voluntarily
16	accompanying the actor at any time in the course of
17	committing the crime of burglary;
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19	(II) Was not locked at the time of the
20	actor's entry; and
21	
22	(III) Was not designed or adapted for
23	overnight accommodation.

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1	(ii) If the provisions of paragraph (i) of this
2	subsection or subsection (c) of this section are not met, a
3	felony punishable by imprisonment for not more than ten
4	(10) years, a fine of not more than ten thousand dollars
5	(\$10,000.00), or both.
6	
7	(d) As used in this section other than in subdivision
8	(b)(i)(C)(I), "in the course of committing the crime"
9	includes the time during which an attempt to commit the
10	crime or in which flight after the attempt or commission
11	occurred. As used in subdivision (b)(i)(C)(I) of this
12	section the phrase includes only the time during which the
13	actor enters or remains within the building, structure,
14	vehicle or separately secured portion thereof.
15	
16	Section 2. This act is effective July 1, 2014.
17	
18	(END)

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