

ORIGINAL SENATE  
FILE NO. 0071

ENROLLED ACT NO. 18, SENATE

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING  
2004 BUDGET SESSION

AN ACT relating to law enforcement retirement; imposing a vesting period for law enforcement nonduty related disability; modifying disability allowances under the state highway patrol, game and fish warden and criminal investigator retirement; and providing for an effective date.

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

**Section 1.** W.S. 9-3-432(h) (intro) and 9-3-611(d) are amended to read:

**9-3-432. Law enforcement officers; contributions; benefit eligibility; service and disability benefits; death benefits; benefit options.**

(h) Notwithstanding W.S. 9-3-422, any law enforcement officer in service for which contributions have been paid because of illness or injury in the scope of employment, or except as otherwise provided under this subsection, any law enforcement officer with ten (10) years of service credit under this article because of illness or injury outside of the scope of employment, may retire on account of a total or partial disability in accordance with rules and regulations adopted by the board. Any law enforcement officer previously covered under W.S. 15-5-301 through 15-5-314 and transferred under this article may because of illness or injury outside the scope of employment and regardless of the number of years of service credit under this article, retire on account of total or partial disability. The board shall determine mental or physical incapacitation for disability retirement under this section in accordance with W.S. 9-3-422(a) and rules and regulation of the board, and the cost of any required examination or test shall be paid as provided by W.S. 9-3-422 and rule and

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regulation of the board. Any law enforcement officer receiving a disability benefit under this section is subject to reporting, evaluation and excess earnings deduction requirements imposed under W.S. 9-3-423 and rule and regulation of the board. Upon retirement for a disability as determined and for which a member qualifies under this section, a law enforcement officer shall for the life of the officer or until the officer is no longer disabled, receive:

**9-3-611. Eligibility and amount of disability allowance.**

(d) Disability allowances shall be ~~as follows:~~

~~(i) fifty percent (50%) of highest average salary for duty-connected or ordinary total~~ or partial ~~disability.~~

~~(ii) Forty two and one half percent (42.5%) of highest average salary for duty connected partial disability; and~~

~~(iii) Thirty five percent (35%) of highest average salary for ordinary partial disability.~~

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**Section 2.** This act is effective July 1, 2004.

(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