

HOUSE BILL NO. HB0244

Municipal officers' citation authority.

Sponsored by: Representative(s) Martin, Latta, McOmie and Walsh and Senator(s) Boggs and Ross

A BILL

for

1 AN ACT relating to cities and towns; authorizing municipal
2 officers to issue citations to or arrest persons as
3 specified; conforming provisions; providing limitations;
4 providing a definition; and providing for an effective
5 date.

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

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9 **Section 1.** W.S. 7-2-103 by creating a new subsection
10 (e), 7-8-101 by creating a new subsection (b) and
11 15-1-103(a)(xli) are amended to read:

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13 **7-2-103. Issuance of citations.**

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15 (e) For purposes of this section, "arresting officer"
16 means a peace officer, or a municipal officer acting in

1 accordance with the terms of his appointment under W.S.
2 15-1-103(a) (xli).

3
4 **7-8-101. Arrest by person who is not a peace officer.**

5
6 (b) A municipal officer appointed under W.S.
7 15-1-103(a) (xli) may arrest, or issue a citation to,
8 another person in accordance with the terms of his
9 appointment.

10
11 **15-1-103. General powers of governing bodies.**

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13 (a) The governing bodies of all cities and towns may:

14
15 (xli) Adopt ordinances, resolutions and
16 regulations, including regulations not in conflict with
17 this act and necessary for the health, safety and welfare
18 of the city or town, necessary to give effect to the powers
19 conferred by this act and, except as provided by paragraph
20 (xlvi) of this subsection, enforce all ordinances by
21 imposing fines not exceeding seven hundred fifty dollars
22 (\$750.00), or imprisonment not exceeding six (6) months, or
23 both. The governing body of a city or town may appoint
24 municipal officers who are not certified as peace officers

1 to issue citations or arrest individuals while enforcing
2 ordinances, resolutions and regulations adopted under this
3 section, provided any arrest by a municipal officer shall
4 only be of a person who violates the ordinances,
5 resolutions or regulations the municipal officer is
6 appointed to enforce, or who interferes with the municipal
7 officer's efforts to enforce those ordinances, resolutions
8 or regulations. The governing body of a city or town may
9 by ordinance impose a term of probation for battery which
10 may exceed the maximum term of imprisonment established for
11 the offense provided the term of probation, together with
12 any extension thereof, shall in no case exceed one (1)
13 year;

14

15 **Section 2.** This act is effective July 1, 2005.

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(END)