

**WORKING DRAFT**

SENATE FILE NO. \_\_\_\_\_

Crime of harboring a sex offender.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to crimes and offenses; establishing the  
2 crime of harboring a sex offender who is suspected of  
3 violating the law as specified; increasing penalties for  
4 failure to register as a sex offender as specified;  
5 providing penalties; and providing for an effective date.

6

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

8

9 **Section 1.** W.S. 7-19-308 is created to read:

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11 **7-19-308. Harboring a sex offender; penalties;**  
12 **exceptions.**

13

14 (a) A person is guilty of a felony, if the person has  
15 reason to believe that a sex offender who is required to

1 register under W.S. 7-19-302 is not complying, or has not  
2 complied, with the requirements of W.S. 7-19-302 and:

3

4 (i) Intends to assist the sex offender in  
5 eluding a law enforcement agency that is seeking to  
6 question the sex offender about, or to arrest the sex  
7 offender for, his noncompliance with the requirements of  
8 W.S. 7-19-302 or any other law prohibiting a sexual  
9 offense, child abuse or kidnapping;

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11 (ii) Withholds information, including but not  
12 limited to the location of the sex offender, from, or fails  
13 to notify, the law enforcement agency about the sex  
14 offender's noncompliance with the requirements of W.S.  
15 7-19-302 or any other law prohibiting a sexual offense,  
16 child abuse or kidnapping;

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18 (iii) Harbors, or attempts to harbor, or assists  
19 another person in harboring or attempting to harbor, the  
20 sex offender;

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22 (iv) Conceals or attempts to conceal, or assists  
23 another person in concealing or attempting to conceal, the  
24 sex offender; or

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2 (v) Provides information to the law enforcement  
3 agency regarding the sex offender which the person knows to  
4 be false.

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6 (b) Subsection (a) of this section shall not apply if  
7 the sex offender is incarcerated in a local, state or  
8 federal detention or correctional facility, or is in the  
9 custody of a law enforcement agency.

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11 (c) The penalty for a violation of subsection (a) of  
12 this section is the same penalty for the most serious crime  
13 for which the sex offender who is being harbored is  
14 charged, except if the person violating subsection (a) of  
15 this section is convicted for the first time of harboring a  
16 sex offender who is charged with a second or subsequent  
17 violation of W.S. 7-19-307, the person convicted under this  
18 section shall only be subject to the penalty under W.S. 7-  
19 19-307(c).

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21 **Section 2.** W.S. 7-19-203(c) and (d) is amended to  
22 read:

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24 **7-19-307. Penalties.**

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2 (c) A person who knowingly fails to register as  
3 required by W.S. 7-19-302 is guilty of a ~~high misdemeanor~~  
4 felony punishable by a fine of up to ~~seven hundred fifty~~  
5 ~~dollars (\$750.00)~~ five thousand dollars (\$5,000.00),  
6 imprisonment for not less than one (1) year nor more than  
7 ~~one (1) year~~ five (5) years, or both.

8

9 (d) A person convicted of a subsequent violation of  
10 knowingly failing to register as required by W.S. 7-19-302  
11 is guilty of a felony punishable by a fine of ~~one thousand~~  
12 ~~dollars (\$1,000.00)~~ ten thousand dollars (\$10,000.00),  
13 imprisonment for not less than one (1) year nor more than  
14 ~~five (5)~~ ten (10) years, or both.

15

16 **Section 3.** This act is effective July 1, 2007.

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(END)