

SENATE FILE NO. SF0179

Exclusions from definition of firearm.

Sponsored by: Senator(s) Hastert and Vasey and
Representative(s) Diercks and Walsh

A BILL

for

1 AN ACT relating to criminal offenses; modifying the
2 definition of "firearm" as used in the offense of use or
3 possession of a firearm by a convicted felon; and providing
4 for an effective date.

5

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

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8 **Section 1.** W.S. 6-8-102 is amended to read:

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10 **6-8-102. Use or possession of firearm by person**
11 **convicted of certain felony offenses; penalties.**

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13 (a) Any person who has previously pleaded guilty to
14 or been convicted of committing or attempting to commit a
15 violent felony or a felony under W.S. 6-5-204(b), and has
16 not been pardoned and who uses or knowingly possesses any

1 firearm is guilty of a felony punishable by imprisonment
2 for not more than three (3) years, a fine of not more than
3 five thousand dollars (\$5,000.00), or both.

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5 (b) For the purposes of this section only, "firearm"
6 does not include:

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8 (i) A firearm, including a firearm with a
9 matchlock, flintlock, percussion cap or similar type of
10 ignition system, if the firearm was manufactured on or
11 before December 31, 1898;

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13 (ii) A replica of a firearm described in
14 paragraph (i) of this subsection if the replica:

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16 (A) Is not designed or redesigned to use
17 rimfire or conventional centerfire fixed ammunition;

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19 (B) Uses rimfire or conventional centerfire
20 fixed ammunition which is no longer manufactured in the
21 United States and which is not readily available in the
22 ordinary channels of commercial trade; or

23

1 (iii) A muzzle loading rifle, muzzle loading
2 shotgun or muzzle loading pistol which is designed to use
3 black powder, or a black powder substitute, if it cannot
4 use fixed ammunition. Notwithstanding any provision of
5 this paragraph, any weapon which incorporates a firearm
6 frame or receiver which can be readily converted to fire
7 fixed ammunition by replacing the barrel, bolt, breechblock
8 or any combination thereof is within the meaning of
9 "firearm" as used in this section.

10

11 **Section 2.** This act is effective July 1, 2007.

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13

(END)