

HOUSE BILL NO. HB0043

Penalties for domestic violence.

Sponsored by: Representative(s) Berger, Bagby, Dockstader, Edmonds, Harvey, Millin, Wallis and Warren and Senator(s) Aullman, Fecht and Peterson

A BILL

for

1 AN ACT relating to crimes and offenses; increasing
2 penalties for domestic violence offenses as specified; and
3 providing for an effective date.

4

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

6

7 **Section 1.** W.S. 6-2-501(e), (f)(i) and (ii) is
8 amended to read:

9

10 **6-2-501. Simple assault; battery; penalties.**

11

12 (e) A household member as defined by W.S. 35-21-102
13 who is convicted upon a plea of guilty or no contest or
14 found guilty of simple assault against any other household
15 member, after having been convicted upon a plea of guilty
16 or no contest or found guilty of a violation of W.S.

1 6-2-501(a), (b), (e) or (f), 6-2-502, 6-2-503, 6-2-504 or
2 other substantially similar law of this or any other state,
3 tribe or territory against any other household member, is
4 guilty of a misdemeanor punishable by imprisonment for not
5 more than six (6) months, a fine of not more than ~~seven~~
6 ~~hundred fifty dollars (\$750.00)~~ one thousand dollars
7 (\$1,000.00), or both.

8

9 (f) A household member as defined by W.S. 35-21-102
10 who commits a second or subsequent battery against any
11 other household member shall be punished as follows:

12

13 (i) A person convicted upon a plea of guilty or
14 no contest or found guilty of a second offense under this
15 subsection against any other household member, after having
16 been convicted upon a plea of guilty or no contest or found
17 guilty of a violation of W.S. 6-2-501(a), (b), (e) or (f),
18 6-2-502, 6-2-503, 6-2-504 or other substantially similar
19 law of this or any other state, tribe or territory against
20 any other household member within the previous five (5)
21 years is guilty of a misdemeanor punishable by imprisonment
22 for not more than one (1) year, a fine of not more than ~~one~~
23 ~~thousand dollars (\$1,000.00)~~ five thousand dollars
24 (\$5,000.00), or both. Notwithstanding any other provision

1 of law, the term of probation imposed by a court under this
2 paragraph may exceed the maximum term of imprisonment
3 established for this offense under this paragraph provided
4 the term of probation, together with any extension thereof,
5 shall in no case exceed ~~two (2)~~ three (3) years;

6
7 (ii) A person convicted upon a plea of guilty or
8 no contest or found guilty of a third or subsequent offense
9 under this subsection against any other household member,
10 after having been convicted upon a plea of guilty or no
11 contest or found guilty of a violation of W.S. 6-2-501(a),
12 (b), (e) or (f), 6-2-502, 6-2-503, 6-2-504 or other
13 substantially similar law of this or any other state, tribe
14 or territory against any other household member within the
15 previous ten (10) years is guilty of a felony punishable by
16 imprisonment for not more than ~~five (5)~~ ten (10) years, a
17 fine of not more than ~~two thousand dollars (\$2,000.00)~~ ten
18 thousand dollars (\$10,000.00), or both.

19

20 **Section 2.** This act is effective July 1, 2008.

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(END)