

## HOUSE BILL NO. HB0083

Crimes and offenses-restrictions for adult sex offenders.

Sponsored by: Representative(s) Harshman and Gingery and  
Senator(s) Jennings, Perkins and Ross

## A BILL

for

1 AN ACT relating to crimes and offenses; prohibiting adult  
2 sex offenders from access to school properties and events  
3 as specified; providing exceptions; providing penalties;  
4 requiring posting of notices as specified; providing  
5 definitions; amending a definition; and providing for an  
6 effective date.

7

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

9

10 **Section 1.** W.S. 6-2-320 is created to read:

11

12 **6-2-320. Prohibited access to school facilities by**  
13 **adult sex offenders; exceptions; penalties; definitions.**

14

15 (a) Except as provided in subsection (b) of this  
16 section, no person who is eighteen (18) years of age or

1 older who is required to register as a sex offender  
2 pursuant to W.S. 7-19-302 shall:

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4 (i) Be upon or remain on the premises of any  
5 school building or school grounds in this state, or upon  
6 other properties having a notice posted by a school  
7 district in accordance with subsection (b) of this section  
8 when the registered offender has reason to believe children  
9 under the age of eighteen (18) years are present and are  
10 involved in a school activity or when children are present  
11 within thirty (30) minutes before or after a scheduled  
12 school activity;

13

14 (ii) Knowingly loiter on a public way within two  
15 thousand (2,000) feet from the property line of school  
16 grounds in this state, including properties having a notice  
17 posted by a school district in accordance with subsection  
18 (b) of this section when children under the age of eighteen  
19 (18) years are present and are involved in a school  
20 activity or when children are present within thirty (30)  
21 minutes before or after a scheduled school activity;

22

23 (iii) Be in any vehicle owned or leased by a  
24 school to transport students to or from school or a school

1 related activity when children under the age of eighteen  
2 (18) years are present in the vehicle;

3  
4 (iv) Reside within two thousand (2,000) feet of  
5 the property on which a school is located, measured from  
6 the nearest point of the exterior wall of the registered  
7 offender's dwelling unit to the school's property line,  
8 except that this paragraph shall not apply if the  
9 registered offender's residence was established prior to  
10 July 1, 2010.

11  
12 (b) Any notice posted by a school district under this  
13 section shall:

14  
15 (i) Be at least one hundred (100) square inches;

16  
17 (ii) Make reference to this section;

18  
19 (iii) Include the term "registered sex  
20 offender";

21 (iv) Identify the property as property used by a  
22 school within the school district;

23

1           (v) Be placed at commonly used entrances to the  
2 property; and

3

4           (vi) Be placed at least every six hundred sixty  
5 (660) feet along the property line of the property.

6

7           (c) The provisions of paragraphs (a)(i) and (ii)  
8 shall not apply to the extent the registered offender:

9

10           (i) Is a student in attendance at the school;

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12           (ii) Is attending an academic conference or  
13 other scheduled extracurricular school event with school  
14 officials present when the registered offender is a parent  
15 or legal guardian of a child who is participating in the  
16 conference or extracurricular event;

17

18           (iii) Resides at a state licensed or certified  
19 facility for incarceration, health or convalescent care  
20 that is within two thousand (2,000) feet from the property  
21 on which a school is located;

22

1           (iv) Is dropping off or picking up a child and  
2 the registered offender is the child's parent or legal  
3 guardian;

4  
5           (v) Is temporarily on school grounds during  
6 school hours for the purpose of making a mail, food or  
7 other delivery;

8  
9           (vi) Is exercising his right to vote in a public  
10 election;

11  
12           (vii) Is taking delivery of his mail through an  
13 official post office located on school grounds;

14  
15           (viii) Has written permission from the school  
16 principal, vice-principal, or person with equivalent  
17 authority, to be on the school grounds or upon other  
18 property posted with the notice specified in subsection (b)  
19 of this section that the property is used by a school; or

20  
21           (ix) Stays at a homeless shelter or resides at a  
22 recovery facility that is within two thousand (2,000) feet  
23 from the property on which a school is located if such

1 shelter or facility has been approved for sex offenders by  
2 the sheriff or police chief.

3

4 (d) Any person who violates the provisions of  
5 subsection (a) of this section is guilty of a misdemeanor  
6 and upon conviction, shall be punished by imprisonment for  
7 not more than six (6) months, a fine of not more than seven  
8 hundred fifty dollars (\$750.00), or both.

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10 (e) Nothing in this section shall prevent a school  
11 district from adopting more stringent safety and security  
12 requirements for employees and nonemployees while they are  
13 in district facilities or on district properties.

14

15 (f) As used in this section:

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17 (i) "Extracurricular event" means any school  
18 sponsored activity that is outside the regular curriculum,  
19 occurring during or outside regular school hours, including  
20 academic, artistic, athletic or recreational activities;

21

22 (ii) "Registered offender" means a person who is  
23 eighteen (18) years of age or older who is required to  
24 register as a sex offender pursuant to W.S. 7-19-302.

1

2       **Section 2.** W.S. 6-2-301(a)(ix) is amended to read:

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4       **6-2-301. Definitions.**

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6       (a) As used in this article:

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8               (ix) "This article" means W.S. 6-2-301 through

9       ~~6-2-319~~ 6-2-320.

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11       **Section 3.** This act is effective July 1, 2010.

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13                                       (END)