

SENATE FILE NO. SF0112

Criminal stalking.

Sponsored by: Senator(s) Craft, Esquibel, F., Hastert, Landen, Pappas and Von Flatern and Representative(s) Dayton, Freeman, Gay, Harshman, Madden and Pelkey

A BILL

for

1 AN ACT relating to the crime of stalking; amending the
2 elements of the crime as specified; providing that the
3 elements do not require proof that the victim received
4 professional treatment or counseling; providing for a
5 psychiatric evaluation of persons arrested for stalking as
6 specified; and providing for an effective date.

7

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

9

10 **Section 1.** W.S. 6-2-506(a)(ii) and by creating a new
11 subsection (f) is amended to read:

12

13 **6-2-506. Stalking; penalty.**

14

1 (a) As used in this section:

2

3 (ii) "Harass" means to engage in a course of
4 conduct, including but not limited to verbal threats,
5 written threats, lewd or obscene statements or images,
6 vandalism or nonconsensual physical contact, directed at a
7 specific person or the family of a specific person, which
8 ~~the defendant knew or should have known would cause a~~
9 ~~reasonable~~ causes the person to suffer substantial
10 emotional distress, and which does in fact seriously alarm
11 the person toward whom it is directed. Proof of
12 substantial emotional distress shall not require proof that
13 the victim received professional treatment or counseling.

14

15 (f) Any order providing for release on bail of a
16 person arrested for the crime of stalking shall include an
17 order that the person undergo a mental health evaluation to
18 determine if the person is a danger to self or others. The
19 evaluation shall be completed within fourteen (14) days of
20 release and the results provided to the court within five
21 (5) days after completion of the evaluation. Cost of the
22 evaluation shall be borne by the person evaluated. The
23 report of the evaluation shall be considered a report of an

1 examiner pursuant to W.S. 25-10-109(b) and the court shall
2 make appropriate further orders as provided in W.S.
3 25-10-109(b) through (m).

4

5 **Section 2.** This act is effective July 1, 2015.

6

7

(END)