

HOUSE BILL NO. HB0006

Return of victim's property held as evidence.

Sponsored by: Representative(s) Pownall, Edwards, Krone and
Miller and Senator(s) Christensen, Driskill
and Von Flatern

A BILL

for

1 AN ACT relating to the victim and witness bill of rights;
2 providing for the return of property where photographs may
3 be submitted into evidence in place of the property as
4 specified; and providing for an effective date.

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

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8 **Section 1.** W.S. 1-40-208(b) is amended to read:

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10 **1-40-208. Prompt return of property.**

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12 (b) Criminal justice agencies shall work together to
13 expedite the return of property when it is no longer
14 needed. Prosecuting attorneys shall promptly notify law
15 enforcement agencies when evidence is no longer needed.

1 Within sixty (60) days of property being taken as evidence,
2 the prosecuting attorney shall determine whether
3 photographs of property are admissible as evidence and
4 submitting the photographs into evidence in place of the
5 property will not substantially prejudice any criminal
6 proceeding. If the prosecuting attorney determines use of a
7 photograph as evidence in lieu of the property will not
8 substantially prejudice any criminal proceedings, the
9 property shall be photographed and returned to the owner.
10 Contraband shall not be subject to this subsection.
11 Property subject to evidentiary analysis and property of
12 which ownership is disputed shall not be subject to
13 provisions providing for use of photographs as evidence in
14 lieu of the property.

15

16 **Section 2.** This act is effective July 1, 2016.

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(END)