

**HB0053**

**Probation and parole-incentives and sanctions.**

Sponsored By: Joint Judiciary Interim Committee

AN ACT relating to criminal procedure and sentencing; establishing an incentives and sanctions system for probation and parole supervision as specified; specifying authorized sanctions; providing a procedure for imposing sanctions; providing definitions; providing for the award of credit against original sentences for parolees; requiring the use of validated risk and need assessments; clarifying requirements for placement in an intensive supervision program; making conforming amendments; specifying applicability; providing rulemaking; repealing obsolete provisions; providing an appropriation; requiring reports; and providing for effective dates.

12/28/2018 Bill Number Assigned  
1/8/2019 H Received for Introduction  
1/8/2019 H Introduced and Referred to H01 - Judiciary  
1/18/2019 H01 - Judiciary:Recommend Amend and Do Pass 9-0-0-0-0

**ROLL CALL**

**Ayes:** Representative(s) Burlingame, Gray, Jennings, Kirkbride, Pelkey, Pownall, Salazar, Stith, Washut

**Ayes 9 Nays 0 Excused 0 Absent 0 Conflicts 0**

1/18/2019 Rerefer to H02 - Appropriations  
1/24/2019 H02 - Appropriations:Recommend Do Pass 7-0-0-0-0

**ROLL CALL**

**Ayes:** Representative(s) Kinner, Larsen, Nicholas, Olsen, Schwartz, Sommers, Walters

**Ayes 7 Nays 0 Excused 0 Absent 0 Conflicts 0**

1/24/2019 H Placed on General File

**HB0053HS001/ADOPTED**

Page 6-line 2 Delete "(iv)".

Page 6-line 3 Delete "be" and insert "include one (1) or more of the following".

Page 7-line 17 After "utilize" insert "sanctions available within".

Page 9-line 19 Delete "sanctioned" and insert "whose probation has been previously revoked".

Page 15-lines 13 and 14 Delete all new language and reinsert all stricken language.

Page 17-line 16 After "violations" insert "not leading to retaking or reincarceration".

Page 21-line 8 After "7-13-1803" insert "or may be subject to revocation proceedings". KIRKBRIDE, CHAIRMAN

1/25/2019 H COW:Passed  
1/28/2019 H 2nd Reading:Passed  
1/29/2019 H 3rd Reading:Passed 59-0-1-0-0

**ROLL CALL**

**Ayes:** Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Edwards,

Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Greear, Haley, Hallinan, Harshman, Henderson, Hunt, Jennings, Kinner, Kirkbride, Larsen, Laursen, Lindholm, Loucks, MacGuire, Miller, Newsome, Nicholas, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Yin, Zwonitzer

**Excused:** Representative Northrup

**Ayes** 59      **Nays** 0      **Excused** 1      **Absent** 0      **Conflicts** 0

1/30/2019      S Received for Introduction  
2/4/2019      S Introduced and Referred to S01 - Judiciary  
2/6/2019      S01 - Judiciary:Recommend Amend and Do Pass 5-0-0-0-0

**ROLL CALL**

**Ayes:** Senator(s) Anselmi-Dalton, Boner, Kost, Nethercott, Von Flatern

**Ayes** 5      **Nays** 0      **Excused** 0      **Absent** 0      **Conflicts** 0

2/6/2019      Rerefer to S02 - Appropriations  
2/6/2019      S02 - Appropriations:Recommend Do Pass 4-0-1-0-0

**ROLL CALL**

**Ayes:** Senator(s) Agar, Gierau, Hicks, Kinskey

**Excused:** Senator Bebout

**Ayes** 4      **Nays** 0      **Excused** 1      **Absent** 0      **Conflicts** 0

2/6/2019      S Placed on General File

**HB0053SS001/ADOPTED**

**(TO ENGROSSED COPY)**

Page 1-line 4      After "providing" insert "a".  
Page 1-line 10      After "rulemaking;" delete "providing" and insert  
"repealing"; after "provisions;" insert "providing an  
appropriation; requiring reports;".

Page 25-after line 19      Insert:

"**Section 5.** There is appropriated one million six hundred twenty-three thousand two hundred forty-eight dollars (\$1,623,248.00) from the general fund to the department of corrections. This appropriation shall be for the period beginning July 1, 2019 and ending June 30, 2020. This appropriation shall only be expended for the purpose of implementing the sanctions authorized in this act. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on July 1, 2020. This appropriation shall not be included in the department's 2021-2022 standard biennial budget request.

**Section 6.** The department of corrections shall, not later than December 1, 2019 and not later than June 30, 2020, report to the joint judiciary interim committee and the joint appropriations committee regarding the implementation of this act.".

Page 25-line 21      Delete "**Section 5.**" and insert "**Section 7.**".  
Page 26-line 4      Delete "**Section 6.**" and insert "**Section 8.**".  
Page 26-line 9      Delete "Section 5" and insert "Section 7". NETHERCOTT,  
CHAIRMAN

2/7/2019      S COW:Passed  
2/8/2019      S 2nd Reading:Rerefer to S02 - Appropriations  
2/12/2019      S02 - Appropriations:Recommend Do Pass 3-0-2-0-0

**ROLL CALL**

**Ayes:** Senator(s) Gierau, Hicks, Kinskey  
**Excused:** Senator(s) Agar, Bebout  
**Ayes** 3    **Nays** 0    **Excused** 2    **Absent** 0    **Conflicts** 0

2/12/2019    S Placed on General File  
2/13/2019    S COW:Passed  
2/14/2019    S 2nd Reading:Passed  
2/15/2019    S 3rd Reading:Passed 30-0-0-0-0

**ROLL CALL**

**Ayes:** Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger  
**Ayes** 30    **Nays** 0    **Excused** 0    **Absent** 0    **Conflicts** 0

2/15/2019    H Received for Concurrence  
2/19/2019    H Concur:Passed 33-26-1-0-0

**ROLL CALL**

**Ayes:** Representative(s) Barlow, Blake, Brown, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Eklund, Eyre, Flitner, Freeman, Furphy, Haley, Harshman, Hunt, Kirkbride, Lindholm, Newsome, Obermueller, Paxton, Pelkey, Pownall, Roscoe, Schwartz, Stith, Sweeney, Western, Yin, Zwonitzer  
**Nays:** Representative(s) Blackburn, Burkhart, Edwards, Gray, Greear, Hallinan, Henderson, Jennings, Kinner, Larsen, Laursen, Loucks, MacGuire, Miller, Nicholas, Olsen, Piiparinen, Salazar, Simpson, Sommers, Styvar, Tass, Walters, Washut, Wilson, Winter  
**Excused:** Representative Northrup  
**Ayes** 33    **Nays** 26    **Excused** 1    **Absent** 0    **Conflicts** 0

2/19/2019    Assigned Number HEA No. 0053  
2/20/2019    H Speaker Signed HEA No. 0053  
2/20/2019    S President Signed HEA No. 0053  
2/26/2019    Governor Signed HEA No. 0053  
2/26/2019    Assigned Chapter Number 116

Chapter No. 116    Session Laws of Wyoming 2019