

## HOUSE BILL NO. HB0247

Law enforcement hiring practices.

Sponsored by: Representative(s) Provenza and Washut

A BILL

for

1 AN ACT relating to peace officers; prohibiting the hiring  
2 of peace officers with a history of serious misconduct as  
3 specified; requiring the revocation of a peace officer  
4 certification as specified; providing rulemaking authority;  
5 requiring a report; providing a definition; and providing  
6 for effective dates.

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

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10 **Section 1.** W.S. 9-1-704 by creating new subsections  
11 (m) through (p) is amended to read:

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13 **9-1-704. Qualifications for employment as a peace**  
14 **officer; loss of certification; termination from**  
15 **employment; reporting.**

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1       (m) Notwithstanding any provision of law to the  
2 contrary, no person shall be eligible for appointment as a  
3 peace officer when the person was previously employed as a  
4 peace officer and the person:

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6           (i) Was dismissed for serious misconduct; or

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8           (ii) Resigned or retired from the person's  
9 position while under investigation for serious misconduct.

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11       (n) The commission shall revoke the certificate of  
12 any peace officer who is dismissed, resigns or retires  
13 under the circumstances specified in subsection (m) of this  
14 section. Prior to the revocation of the certificate of any  
15 peace officer under this subsection, the peace officer  
16 shall be afforded prior written notice with an opportunity  
17 to respond and may appeal the revocation in accordance with  
18 the Wyoming Administrative Procedure Act.

19  
20       (o) Any employing agency who investigates a peace  
21 officer for serious misconduct, and finds that the peace  
22 officer has engaged in that conduct, shall submit a full  
23 report along with a copy of all supporting files to the

1 commission. The commission shall maintain the report and  
2 files on record to ensure that no person ineligible to be a  
3 peace officer pursuant to subsection (m) of this section is  
4 granted a certificate.

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6 (p) For the purposes of this section:

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8 (i) "Serious misconduct" means improper or  
9 illegal actions taken by a peace officer in connection with  
10 the officer's official duties that could result in a  
11 miscarriage of justice, including but not limited to a  
12 conviction of a crime, unlawful acts of discrimination,  
13 fabrication of evidence, excessive use of force, acceptance  
14 of a bribe or fraud.

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16 **Section 2.** This act shall only apply to acts on or  
17 after the effective date of this act.

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19 **Section 3.** The peace officer standards and training  
20 commission shall promulgate all rules necessary to  
21 implement the provisions of this act by July 1, 2021.

22

1           **Section 4.**

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3           (a) Except as provided in subsection (b) of this  
4 section, this act is effective July 1, 2021.

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6           (b) Sections 2, 3 and 4 of this act are effective  
7 immediately upon completion of all acts necessary for a  
8 bill to become law as provided by Article 4, Section 8 of  
9 the Wyoming Constitution.

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11

(END)