

ENROLLED ACT NO. 11, HOUSE OF REPRESENTATIVES

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2022 BUDGET SESSION

AN ACT relating to professions and occupations; establishing a procedure by which applicants for licenses and certifications can seek a pre-application determination as specified; authorizing the access and dissemination of criminal history record information for pre-application determinations as specified; making conforming amendments; authorizing a fee; authorizing rulemaking; and providing for an effective date.

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

Section 1. W.S. 7-19-106(a) by creating a new paragraph (xxxvi) and 33-1-304 by creating a new subsection (e) are amended to read:

7-19-106. Access to, and dissemination of, information.

(a) Criminal history record information shall be disseminated by criminal justice agencies in this state, whether directly or through any intermediary, only to:

(xxxvi) Any professional licensing board, commission, commissioner or authority that otherwise has authority to receive criminal history record information under this subsection, for purposes of obtaining criminal history background information for pre-application determination in accordance with W.S. 33-1-304(e).

33-1-304. Considering criminal convictions; pre-application determinations.

(e) Any person who has been previously convicted of a crime may at any time apply to a board, commission, commissioner or authority authorized to establish

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examination, inspection, permit, license, certification or registration requirements for any profession or occupation regulated under this title or under W.S. 7-4-211, 11-25-201, 15-5-103, 17-4-406, 21-2-802, 23-2-414, 26-4-101 or 40-22-103 for a determination as to whether one (1) or more of the person's criminal convictions will prevent the person from receiving a license, certification or registration. Each board, commission, commissioner or authority may by rule establish a procedure by which an application submitted under this subsection is reviewed and may by rule delegate the authority to review an application to a staff member of the board, commission, commissioner or authority. A board, commission, commissioner or authority may request criminal history background information for purposes of reviewing an application under this subsection in accordance with W.S. 7-19-106(a)(xxxvi). The board, commission, commissioner or authority may by rule establish and charge a reasonable fee to recover the costs of researching and developing a determination under this subsection, provided that any fee shall not exceed the costs of providing the determination under this subsection. A determination made by a board, commission, commissioner or authority under this subsection shall not be binding upon the board, commission, commissioner or authority.

ORIGINAL HOUSE
BILL NO. HB0039

ENGROSSED

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Section 2. This act is effective July 1, 2022.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk