

HOUSE BILL NO. HB0113

Concealed weapon authority.

Sponsored by: Representative(s) Quarberg, Brechtel,
Buchanan, Davison, Diercks, Gingery,
Illoway, Jaggi, Semlek, Simpson, Wallis and
Zwonitzer, Dn. and Senator(s) Case, Coe,
Jennings and Ross

A BILL

for

1 AN ACT relating to concealed weapons; authorizing the
2 carrying of concealed weapons by nonfelons as specified;
3 providing limitations; restricting felons and others from
4 carrying concealed weapons as specified; and providing for
5 an effective date.

6

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

8

9 **Section 1.** W.S. 6-8-105 is created to read:

10

11 **6-8-105. Wearing or carrying concealed weapons;**
12 **nonpermit holders; violations, penalties.**

13

14 (a) To carry a concealed deadly weapon without a
15 permit under W.S. 6-8-104(a)(iv), a person shall:

1

2 (i) Be at least twenty-one (21) years of age;

3

4 (ii) Not suffer from a physical infirmity which
5 prevents the safe handling of a firearm;

6

7 (iii) Not have been found ineligible to possess
8 a firearm pursuant to 18 U.S.C. section 922(g) and not have
9 been convicted of any felony in any state, territory or
10 other jurisdiction of the United States;

11

12 (iv) Not have been committed to a state or
13 federal facility for the abuse of a controlled substance or
14 convicted of a violation of W.S. 35-7-1001 through
15 35-7-1059 or similar laws of any other state or the United
16 States relating to controlled substances;

17

18 (v) Not chronically or habitually use alcoholic
19 liquor or malt beverages to the extent that his normal
20 faculties are impaired. It shall be presumed under this
21 section that a person chronically and habitually uses
22 alcoholic liquor or malt beverages to the extent that his
23 normal faculties are impaired if the person has been
24 involuntarily committed to any residential facility

1 pursuant to the laws of this state or similar laws of any
2 other state as a result of the use of alcohol;

3

4 (vi) Have been a resident of the state for at
5 least six (6) months before carrying a concealed deadly
6 weapon under this section;

7

8 (vii) Not currently be adjudicated as legally
9 incompetent;

10

11 (viii) Not have been committed to a mental
12 institution;

13

14 (ix) Have familiarity with deadly weapons by
15 completing any of the following:

16

17 (A) Completion of any certified firearm
18 safety or training course utilizing instructors certified
19 by the National Rifle Association or the Wyoming law
20 enforcement academy;

21

22 (B) Completion of any law enforcement
23 firearms safety or training course or class offered for

1 security guards, investigators, special deputies or any
2 division of law enforcement or security enforcement;

3

4 (C) Experience with a firearm through
5 participation in an organized handgun shooting competition
6 or military service;

7

8 (D) Completion of any firearms training or
9 safety course or class conducted by a state certified or
10 National Rifle Association certified firearms instructor;

11

12 (E) Certification as proficient in firearms
13 safety by any Wyoming law enforcement agency under
14 procedures established by that agency; or

15

16 (F) Honorable retirement as a federal or
17 state peace officer who has a minimum of ten (10) years of
18 service.

19

20 (b) Whenever a person carrying a concealed deadly
21 weapon under this section is stopped or detained by a peace
22 officer, he shall, upon request, inform the peace officer
23 that he is carrying a concealed deadly weapon under this
24 section. The peace officer may secure the concealed deadly

1 weapon, or direct that it be secured, during the duration
2 of the stop or detention if the peace officer determines
3 that the action is necessary for the safety of any person
4 present, including the peace officer.

5

6 (c) A person shall not carry a concealed deadly
7 weapon under this section into any location specified in
8 W.S. 6-8-104(t).

9

10 **Section 2.** W.S. 6-8-104(a)(ii), (iii) and by creating
11 a new paragraph (iv) is amended to read:

12

13 **6-8-104. Wearing or carrying concealed weapons;**
14 **penalties; exceptions; permits.**

15

16 (a) A person who wears or carries a concealed deadly
17 weapon is guilty of a misdemeanor punishable by a fine of
18 not more than seven hundred fifty dollars (\$750.00),
19 imprisonment in the county jail for not more than six (6)
20 months, or both, unless:

21

1 (ii) The person possesses a permit under this
2 section;~~or~~

3

4 (iii) The person holds a valid permit
5 authorizing him to carry a concealed firearm authorized and
6 issued by a governmental agency or entity in another state
7 that recognizes Wyoming permits, is a valid statewide
8 permit, and the state has laws similar to the provisions of
9 this section, as determined by the attorney general,
10 including a proper background check of the permit holder;~~or~~

11 or

12

13 (iv) The person meets the requirements of W.S.
14 6-8-105.

15

16 **Section 2.** This act is effective July 1, 2010.

17

18

(END)