

HOUSE BILL NO. HB0227

Child sexual abuse protection division.

Sponsored by: Representative(s) Salazar and Senator(s) Anselmi-Dalton and Biteman

A BILL

for

1 AN ACT relating to the administration of government; creating
2 the child sexual abuse protection division within the office
3 of the attorney general; establishing the duties of the
4 division; providing rulemaking authority; requiring a report;
5 making conforming amendments; making an appropriation;
6 authorizing additional positions; and providing for an
7 effective date.

8

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

10

11 **Section 1.** W.S. 9-1-641 through 9-1-644 are created to
12 read:

13

1 **9-1-641. Child sexual abuse protection division;**
2 **created; appointment of director; administrative and clerical**
3 **employees; definitions.**

4

5 (a) The child sexual abuse protection division is
6 created within the office of the attorney general.

7

8 (b) With the approval of the governor, the attorney
9 general shall appoint a director who is the chief
10 administrative officer of the division. The director is
11 responsible to the attorney general for the operation of the
12 division and shall serve at the pleasure of the attorney
13 general.

14

15 (c) With the consent of the attorney general and the
16 governor, and subject to legislative appropriation, the
17 director may appoint investigators, victim interviewers,
18 attorneys and administrative and other specialized personnel
19 necessary to carry out the functions of the division.

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21 (d) As used in this act:

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23 (i) "Director" means the director of the division;

1

2 (ii) "Division" means the child sexual abuse
3 protection division within the office of the attorney
4 general;

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6 (iii) "This act" means W.S. 9-1-641 through
7 9-1-644.

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9 **9-1-642. Child sexual abuse protection division; duties**
10 **of director.**

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12 (a) The director shall:

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14 (i) Supervise and direct all activities of the
15 division;

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17 (ii) Report to the attorney general regarding all
18 functions of the division, including cases in which the
19 division is involved;

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21 (iii) Report not later than October 1 of each year
22 to the attorney general, the governor and the joint judiciary
23 interim committee on the activities of the division,

1 including any investigations and prosecutions of cases
2 involving the sexual assault or sexual abuse of a minor in
3 which the division participated and any convictions in cases
4 in which the division participated. The report required under
5 this paragraph shall not identify any personally identifiable
6 information of any individual person.

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8 **9-1-643. Child sexual abuse protection division; duties**
9 **and responsibilities.**

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11 (a) The division shall:

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13 (i) Upon request by the attorney general or a
14 district attorney and upon approval of the director, assist
15 in the investigation and prosecution of any case involving
16 the alleged sexual abuse or sexual assault of a minor;

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18 (ii) Provide training, information and other
19 assistance to district attorneys, peace officers, victim
20 advocates and other investigators regarding sexual abuse and
21 sexual assault of minors;

22

1 (iii) Assist the division of victim services upon
2 request on the legal rights of a victim in any case involving
3 the alleged sexual abuse or sexual assault of a minor;

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5 (iv) Subject to the approval of the attorney
6 general, promulgate rules and regulations necessary to
7 implement the duties and responsibilities assigned to the
8 division.

9

10 **9-1-644. Confidentiality of records.**

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12 Except as otherwise required by law, all records and
13 information collected and generated pursuant to this act that
14 are not already matters of public record are investigation
15 records and may be withheld from public inspection pursuant
16 to W.S. 16-4-203(b)(i).

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18 **Section 2.** W.S. 9-1-638(a) by creating a new paragraph
19 (viii) is amended to read:

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21 **9-1-638. Division of victim services; duties and**
22 **responsibilities.**

23

1 (a) The division of victim services shall:

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3 (viii) Coordinate with the child sexual abuse
4 protection division to provide services for child victims of
5 sexual abuse and sexual assault.

6

7 **Section 3.** There is appropriated four hundred thousand
8 dollars (\$400,000.00) from the general fund to the office of
9 the attorney general. This appropriation shall be for the
10 period beginning with the effective date of this act and
11 ending June 30, 2020. This appropriation shall only be
12 expended for the purpose of establishing the child sexual
13 abuse protection division within the office of the attorney
14 general, recruiting and hiring one (1) director, one (1)
15 investigator, one (1) interviewer and one (1) office support
16 person for the purpose of conducting the duties of the
17 division and training for attorneys within the office of the
18 attorney general to assist in the prosecution of cases as
19 provided for by this act. Notwithstanding any other provision
20 of law, this appropriation shall not be transferred or
21 expended for any other purpose and any unexpended,
22 unobligated funds remaining from this appropriation shall
23 revert as provided by law on June 30, 2020. This appropriation

1 shall be included in the attorney general's 2021-2022
2 standard biennial budget request.

3

4 **Section 4.** This act is effective July 1, 2019.

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(END)