

SENATE FILE NO. SF0026

Protection of military equipment.

Sponsored by: Joint Transportation, Highways & Military  
Affairs Interim Committee

A BILL

for

1 AN ACT relating to crimes and offenses; providing an  
2 affirmative defense for use of force to protect military  
3 equipment; extending immunity for civil or criminal  
4 liability for acts committed in the performance of  
5 necessary duties to state security officers employed by the  
6 military department; providing a definition; specifying  
7 applicability; and providing for an effective date.

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

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11 **Section 1.** W.S. 6-2-603 is created to read:

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13 **6-2-603. Use of force in defense of military**  
14 **equipment.**

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1 A state security officer as defined by W.S.  
2 19-7-101(a)(xiii), a member of the armed forces or a member  
3 of the Wyoming national guard in active state service as  
4 defined by W.S. 19-7-101(a)(v) who is on official duty  
5 defending military equipment is privileged to use  
6 reasonable force as necessary to defend military equipment,  
7 including deadly force as defined by W.S. 6-2-602(g)(iii),  
8 in accordance with published military regulations and  
9 doctrine regarding the use of force.

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11 **Section 2.** W.S. 19-7-101(a) by creating a new  
12 paragraph (xiii) and 19-9-401(c)(intro) are amended to  
13 read:

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15 **19-7-101. Definitions.**

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17 (a) As used in this act:

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19 (xiii) "State security officer" means a person  
20 employed by the military department whose primary duties  
21 include being armed and securing military assets controlled  
22 by the military department.

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1           **19-9-401. National Guard members granted certain**  
2 **exemptions.**

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4           (c) No member of the Wyoming national guard in active  
5 state service or a state security officer shall incur any  
6 personal liability, civil or criminal, by reason of acts  
7 committed in the performance of his necessary duties  
8 incident to service under orders of the governor or any  
9 lawful superior if the acts are not palpably illegal,  
10 excessively violent or malicious. If any civil action is  
11 brought against a member or state security officer by  
12 reason of an act or acts committed in the performance of  
13 his necessary duties, he is entitled to legal counsel to  
14 assist in his defense at state expense. Legal counsel for  
15 such purposes may be chosen by the guardsman or state  
16 security officer subject to approval by the Wyoming  
17 attorney general and legal fees incurred shall be approved  
18 by either:

19  
20           **Section 3.** The affirmative defense created by section  
21 1 of this act shall be available as an affirmative defense  
22 to conduct occurring on and after July 1, 2025.

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1           **Section 4.** This act is effective July 1, 2025.

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(END)