

ENROLLED ACT NO. 51, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2019 GENERAL SESSION

AN ACT relating to the protection of children; amending when a child may be taken into protective custody as specified; and providing for an effective date.

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

**Section 1.** W.S. 14-3-206 by creating a new subsection (d) and 14-3-405(a) are amended to read:

**14-3-206. Child abuse or neglect; written report; statewide reporting center; documentation and examination; costs and admissibility thereof.**

(d) Any physician, physician's assistant or nurse practitioner examining a child and finding reasonable cause to believe the child is a victim of child abuse or neglect and having reasonable cause to believe that other children residing in the same home may also be a victim of child abuse or neglect shall report to law enforcement the results of the examination and facts supporting reasonable cause with respect to the other child or children. Law enforcement may then bring any other child residing in the same home to a physician, physician's assistant or nurse practitioner for examination. The examination shall take place within twenty-four (24) hours. Any physician, physician's assistant, nurse practitioner or law enforcement officer denied access to a child for the purposes of examination under this subsection may seek an appropriate court order by ex parte proceedings or other appropriate proceedings to provide for the examination. After receiving the timely results of the examination, the examining physician, physician's assistant, nurse practitioner or law enforcement officer shall consider whether temporary protective custody is necessary under W.S. 14-3-405.

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**14-3-405. Taking of child into custody; when permitted.**

(a) A child, or any other child residing in the same household, may be taken into custody by a law enforcement officer without a warrant or court order and without the consent of the parents, guardians or others exercising temporary or permanent control over the child when:

(i) There are reasonable grounds to believe a child is abandoned, lost, suffering from illness or injury or seriously endangered by ~~his~~the child's surroundings and immediate custody appears to be necessary for his protection;  
~~or~~

(ii) The child's conduct or behavior seriously endangers himself and immediate custody appears necessary;  
~~i-~~  
or

(iii) The child is as evidenced by an examination being abused or neglected by a parent, guardian or legal custodian, a member of the parent's, guardian's or legal custodian's household or any other person known to the parent, guardian or legal custodian.

ORIGINAL SENATE  
FILE NO. SF0060

ENGROSSED

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**Section 2.** This act is effective July 1, 2019.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk