

SENATE FILE NO. SF0066

Preliminary hearings-circuit court.

Sponsored by: Senator(s) Case and Representative(s) Greear
and Pelkey

A BILL

for

1 AN ACT relating to criminal procedure; providing a right to
2 preliminary hearing in circuit courts as specified; and
3 providing for an effective date.

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

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7 **Section 1.** W.S. 5-9-132(b), 5-9-208(c)(xvii) and
8 7-8-105 are amended to read:

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10 **5-9-132. Authority to set bail; preliminary**
11 **examinations.**

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13 (b) Preliminary examinations for persons charged with
14 a felony, or a misdemeanor if requested pursuant to W.S.

1 7-8-105, shall be conducted by the circuit court judge or
2 magistrate.

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4 **5-9-208. Full-time magistrates; powers of magistrates**
5 **who are authorized to practice law; powers of magistrates**
6 **who are not authorized to practice law.**

7

8 (c) At the direction of the circuit court judges of a
9 circuit court, a full-time magistrate of the circuit court
10 who is not authorized to practice law in Wyoming may within
11 the county from which appointed:

12

13 (xvii) In accordance with the Wyoming Rules of
14 Criminal Procedure, conduct extradition proceedings,
15 initial appearances and preliminary examinations for
16 persons charged with misdemeanors or felonies;

17

18 **7-8-105. Right to preliminary hearing.**

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20 In all cases triable in district court, except upon
21 indictment, and in all cases triable in circuit court upon
22 request by the defendant, the defendant is entitled to a
23 preliminary hearing.

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Section 2. W.S. 5-9-132(c) is repealed.

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Section 3. This act is effective July 1, 2016.

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(END)