

ORIGINAL HOUSE
BILL NO. HB0031

ENROLLED ACT NO. 31, HOUSE OF REPRESENTATIVES

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2024 BUDGET SESSION

AN ACT relating to the administration of government; requiring personnel files of peace officers, detention officers, corrections officers and dispatchers to be available to the peace officer standards and training commission as specified; making conforming amendments; and providing for an effective date.

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

Section 1. W.S. 9-1-704 by creating a new subsection (m), 9-1-708 by creating a new subsection (h), 9-1-710 by creating a new subsection (o) and 16-4-203(d)(iii) are amended to read:

9-1-704. Qualifications for employment as a peace officer; loss of certification for felony conviction; termination from employment.

(m) The portion of a personnel file that is specifically related to a complaint and relevant to any of the qualifications specified in subsection (b) of this section or prescribed by the commission under W.S. 9-1-702(f)(iv) or (v) for any person employed as a peace officer or detention officer by a law enforcement unit shall be made available to the commission not later than thirty (30) days after the commission makes a written request to the employing agency for the personnel file information. The commission shall request records under this subsection only for purposes of investigating or determining a peace officer's or detention officer's initial certification, continuing certification, suspension, revocation or termination. The personnel file information received by the commission under this subsection shall not be disclosed by the commission to any other person except as otherwise required by law. If the

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employing agency fails to provide the personnel file information within thirty (30) days of the commission's written request, the commission may file a petition with the district court for the release of the requested personnel file information.

9-1-708. Certificate required for permanent employment; temporary employment; waiver or modification of training requirements; wages during training; grandfather provisions.

(h) The portion of a personnel file that is specifically related to a complaint and relevant to any of the qualifications specified in W.S. 9-1-704(b) or prescribed by the commission under W.S. 9-1-702(f)(iv) or (v) for any person employed as a dispatcher required to be certified under this section shall be made available to the commission not later than thirty (30) days after the commission makes a written request to the employing agency for the personnel file information. The commission shall request records under this subsection only for purposes of investigating or determining a dispatcher's initial certification, continuing certification, suspension, revocation or termination. The personnel file information received by the commission under this subsection shall not be disclosed by the commission to any other person except as otherwise required by law. If the employing agency fails to provide the personnel file information within thirty (30) days of the commission's written request, the commission may file a petition with the district court for the release of the requested personnel file information.

9-1-710. Qualifications for employment as a correctional officer; termination of employment;

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2024 BUDGET SESSION

certification without compliance with the requirements of this section.

(o) The portion of a personnel file that is specifically related to a complaint and relevant to any of the qualifications specified in subsection (b) of this section or established under W.S. 9-1-702(k)(ii) and subsection (n) of this section for any person employed as a certified correctional officer, correctional officer or part-time correctional officer by the department of corrections shall be made available to the commission not later than thirty (30) days after the commission makes a written request to the department of corrections for the personnel file information. The commission shall request records under this subsection only for purposes of investigating or determining a correctional officer's initial certification, continuing certification, suspension, revocation or termination. The personnel file information received by the commission under this subsection shall not be disclosed by the commission to any other person except as otherwise required by law. If the department of corrections fails to provide the personnel file information within thirty (30) days of the commission's request, the commission may file a petition with the district court for the release of the personnel file information.

16-4-203. Right of inspection; grounds for denial; access of news media; order permitting or restricting disclosure; exceptions.

(d) The custodian shall deny the right of inspection of the following records, unless otherwise provided by law:

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(iii) Personnel files except those files shall be available to the duly elected and appointed officials who supervise the work of the person in interest and those portions of files specified in W.S. 9-1-704(m), 9-1-708(h) and 9-1-710(o) that are specifically related to a complaint shall be available and provided to the peace officer standards and training commission in accordance with W.S. 9-1-704(m), 9-1-708(h) and 9-1-710(o). Applications, performance ratings and scholastic achievement data shall be available only to the person in interest and to the duly elected and appointed officials who supervise his work. Employment contracts, working agreements or other documents setting forth the terms and conditions of employment of public officials and employees are not considered part of a personnel file and shall be available for public inspection;

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BILL NO. HB0031

ENROLLED ACT NO. 31, HOUSE OF REPRESENTATIVES

SIXTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2024 BUDGET SESSION

Section 2. This act is effective July 1, 2024.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk