

HOUSE BILL NO. HB0031

Peace officers-records and reporting.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

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

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

9

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

14

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

4
5 (m) The portion of a personnel file relevant to any
6 of the qualifications specified in subsection (b) of this
7 section or prescribed by the commission under W.S.
8 9-1-702(f)(iv) or (v) for any person employed as a peace
9 officer or detention officer by a law enforcement unit
10 shall be made available to the commission not later than
11 thirty (30) days after the commission makes a written
12 request to the employing agency for the personnel file
13 information. The commission shall request records under
14 this subsection only for purposes of investigating or
15 determining a peace officer's or detention officer's
16 initial certification, continuing certification,
17 suspension, revocation or termination. The personnel file
18 information received by the commission under this
19 subsection shall not be disclosed by the commission to any
20 other person except as otherwise required by law. If the
21 employing agency fails to provide the personnel file
22 information within thirty (30) days of the commission's
23 written request, the commission may file a petition with

1 the district court for the release of the requested
2 personnel file information.

3

4 **9-1-708. Certificate required for permanent**
5 **employment; temporary employment; waiver or modification of**
6 **training requirements; wages during training; grandfather**
7 **provisions.**

8

9 (h) The portion of a personnel file relevant to any
10 of the qualifications specified in W.S. 9-1-704(b) or
11 prescribed by the commission under W.S. 9-1-702(f)(iv) or
12 (v) for any person employed as a dispatcher required to be
13 certified under this section shall be made available to the
14 commission not later than thirty (30) days after the
15 commission makes a written request to the employing agency
16 for the personnel file information. The commission shall
17 request records under this subsection only for purposes of
18 investigating or determining a dispatcher's initial
19 certification, continuing certification, suspension,
20 revocation or termination. The personnel file information
21 received by the commission under this subsection shall not
22 be disclosed by the commission to any other person except
23 as otherwise required by law. If the employing agency fails

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

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6 **9-1-710. Qualifications for employment as a**
7 **correctional officer; termination of employment;**
8 **certification without compliance with the requirements of**
9 **this section.**

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11 (o) The portion of a personnel file relevant to any
12 of the qualifications specified in subsection (b) of this
13 section or established under W.S. 9-1-702(k)(ii) and
14 subsection (n) of this section for any person employed as a
15 certified correctional officer, correctional officer or
16 part-time correctional officer by the department of
17 corrections shall be made available to the commission not
18 later than thirty (30) days after the commission makes a
19 written request to the department of corrections for the
20 personnel file information. The commission shall request
21 records under this subsection only for purposes of
22 investigating or determining a correctional officer's
23 initial certification, continuing certification,

1 suspension, revocation or termination. The personnel file
2 information received by the commission under this
3 subsection shall not be disclosed by the commission to any
4 other person except as otherwise required by law. If the
5 department of corrections fails to provide the personnel
6 file information within thirty (30) days of the
7 commission's request, the commission may file a petition
8 with the district court for the release of the personnel
9 file information.

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11 **16-4-203. Right of inspection; grounds for denial;**
12 **access of news media; order permitting or restricting**
13 **disclosure; exceptions.**

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

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18 (iii) Personnel files except those files shall
19 be available to the duly elected and appointed officials
20 who supervise the work of the person in interest and those
21 portions of files specified in W.S. 9-1-704(m), 9-1-708(h)
22 and 9-1-710(o) shall be available and provided to the peace
23 officer standards and training commission in accordance

1 with W.S. 9-1-704(m), 9-1-708(h) and 9-1-710(o).
2 Applications, performance ratings and scholastic
3 achievement data shall be available only to the person in
4 interest and to the duly elected and appointed officials
5 who supervise his work. Employment contracts, working
6 agreements or other documents setting forth the terms and
7 conditions of employment of public officials and employees
8 are not considered part of a personnel file and shall be
9 available for public inspection;

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

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(END)