

HOUSE BILL NO. HB0105

Repeal gun free zones and preemption amendments.

Sponsored by: Representative(s) Haroldson, Allemand, Angelos, Bear, Jennings, Knapp, Locke, Niemiec, Pendergraft, Penn, Rodriguez-Williams, Smith, Strock, Tarver, Ward and Winter and Senator(s) Biteman, Case, Hutchings, Laursen, D and Steinmetz

A BILL

for

1 AN ACT relating to concealed weapons; repealing gun free
 2 zones; providing for the carrying of concealed weapons as
 3 specified; creating a criminal offense for prohibiting
 4 entry to a person carrying a concealed weapon as specified;
 5 clarifying that only the state legislature may regulate
 6 firearms, weapons and ammunition; providing for an
 7 exception; amending a definition; requiring rulemaking; and
 8 providing for an effective date.

9

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

11

12 **Section 1.** W.S. 6-8-105 is created to read:

13

1 **6-8-105. Exceptions for state issued concealed carry**
2 **permits; penalty.**

3

4 (a) This section shall be known as and may be cited
5 as the "Wyoming Repeal Gun Free Zones Act."

6

7 (b) Persons lawfully carrying concealed weapons in
8 Wyoming under W.S. 6-8-104(a)(ii) through (iv) may carry a
9 concealed weapon in the following places:

10

11 (i) Any meeting of a governmental entity;

12

13 (ii) Any meeting of the legislature or a
14 committee thereof.

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16 (c) Persons lawfully carrying concealed weapons in
17 Wyoming under W.S. 6-8-104(a)(ii) may carry a concealed
18 weapon in the following places:

19

20 (i) Any public school, public college or
21 university or professional athletic event, except as
22 provided in W.S. 21-3-132;

23

1 (ii) Any public elementary or secondary school
2 facility, except as provided in W.S. 21-3-132;

3

4 (iii) Any public college or university facility.

5

6 (d) Nothing in this section shall be construed to:

7

8 (i) Allow the carrying of a concealed weapon
9 where otherwise prohibited under W.S. 6-8-104(t);

10

11 (ii) Prohibit a school district from regulating
12 the possession of firearms by employees of the school
13 district on school property under W.S. 21-3-132;

14

15 (iii) Prohibit a private property owner from
16 restricting firearms on his private property.

17

18 (e) Any person who prohibits entry to another person
19 lawfully carrying a concealed weapon into a place
20 authorized pursuant to subsections (b) or (c) of this
21 section when the person would otherwise be permitted entry
22 is guilty of a misdemeanor punishable by imprisonment for

1 not more than one (1) year, a fine of not more than two
2 thousand dollars (\$2,000.00), or both.

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4 **Section 2.** W.S. 6-8-401(c) and 6-8-403(a)(vii) are
5 amended to read:

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7 **6-8-401. Firearm, weapon and ammunition regulation**
8 **and prohibition by state.**

9

10 (c) The sale, transfer, purchase, delivery, taxation,
11 manufacture, ownership, transportation, storage, use and
12 possession of firearms, weapons and ammunition shall be
13 authorized, regulated and prohibited by the state, and
14 regulation thereof is preempted by the legislature of the
15 state of Wyoming. Except as authorized by W.S.
16 15-1-103(a)(xviii), ~~and 21-3-132~~ and 23-1-302, no state
17 agency or entity, city, town, county, political subdivision
18 or any other entity shall authorize, regulate or prohibit
19 the sale, transfer, purchase, delivery, taxation,
20 manufacture, ownership, transportation, storage, use,
21 carrying or possession of firearms, weapons, accessories,
22 components or ammunition except as specifically provided by
23 this chapter. This section shall not affect zoning or other

1 ordinances which encompass firearms businesses along with
2 other businesses. Zoning and other ordinances which are
3 designed for the purpose of restricting or prohibiting the
4 sale, purchase, transfer or manufacture of firearms or
5 ammunition as a method of regulating firearms or ammunition
6 are in conflict with this section and are prohibited.

7

8 **6-8-403. Definitions.**

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10 (a) As used in this act:

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12 (vii) "This act" means W.S. ~~6-8-401~~ 6-8-402
13 through 6-8-406;

14

15 **Section 3.** W.S. 6-8-104(t)(iv) through (vi), (ix) and
16 (x) is repealed.

17

18 **Section 4.** The state building commission shall begin
19 promulgating any rules necessary to administer this act not
20 later than thirty (30) days after the effective date of
21 this act.

22

1 **Section 5.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

5

6

(END)