

HOUSE BILL NO. HB0125

Repeal gun free zones and preemption amendments.

Sponsored by: Representative(s) Haroldson, Angelos, Bear, Hornok, Jennings, Knapp, Neiman, Ottman, Penn, Rodriguez-Williams, Smith, Strock, Styvar, Ward and Winter and Senator(s) Boner and Ide

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 exceptions;  
7 amending a definition; requiring rulemaking; and providing  
8 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.**

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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.

15

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 athletic event taking place on public property  
22 that does not sell alcoholic beverages;

23

1           (ii) Any public elementary or secondary school  
2 facility;

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 private property owner from  
12 restricting firearms on his private property;

13

14           (iii) Prohibit a governmental entity from  
15 prohibiting the open carry, display or wearing of a firearm  
16 into a meeting of that governmental entity;

17

18           (iv) Allow the carrying of a concealed weapon  
19 into facilities where otherwise prohibited by law;

20

21           (v) Allow the carrying of a concealed weapon  
22 within state agency operated health and human services  
23 settings, health and human services facilities that are

1 licensed by the department of family services or health and  
2 human services facilities that are certified by the  
3 behavioral health division of the department of health to  
4 provide residential services;

5

6 (vi) Allow the carrying of a concealed weapon  
7 within any facility where explosive or volatile materials  
8 are present.

9

10 (e) Any person who knowingly prohibits entry to  
11 another person to lawfully carrying a concealed weapon into  
12 a place authorized pursuant to subsections (b) or (c) of  
13 this section, unless otherwise prohibited under subsection  
14 (d) of this section, when the person would otherwise be  
15 permitted entry is guilty of a misdemeanor punishable by  
16 imprisonment for not more than one (1) year, a fine of not  
17 more than two thousand dollars (\$2,000.00), or both.

18

19 (f) The board of trustees in each school district may  
20 adopt rules and regulations to govern employees lawfully  
21 carrying concealed weapons in Wyoming under W.S. 6-8-104 on  
22 or in any property or facility owned or leased by the  
23 school district. Any rules and regulations adopted under

1 this subsection shall only apply to persons who are  
2 employees, as defined by subsection (g) of this section.

3 The rules under this subsection shall:

4

5 (i) Require any person carrying a firearm  
6 pursuant to this section to maintain the firearm on his  
7 person at all times or in a concealed biometric container  
8 or lock box within the direct control of the individual at  
9 all times;

10

11 (ii) Establish ongoing training requirements,  
12 curricula and instructor qualifications, subject to  
13 approval by local law enforcement, including:

14

15 (A) An initial course of training comprised  
16 of not less than sixteen (16) hours of live fire handgun  
17 training, and eight (8) hours of scenario based training  
18 using nonlethal training, firearms and ammunition; and

19

20 (B) Annual firearm qualification and  
21 documented recurrent training of not less than twelve (12)  
22 hours with an approved instructor.

23

1           (g) For purposes of subsection (f) of this section,  
2 "employee" means any person employed by a school district,  
3 including but not limited to, superintendents, assistant  
4 superintendents, principals, assistant principals,  
5 teachers, guidance counselors, librarians, teacher's aids,  
6 coaches, business managers, secretaries or administrative  
7 assistants, janitors, bus drivers or other employees of a  
8 school district.

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10           (h) The board of trustees in any school district may  
11 waive all or part of the training requirements of  
12 subsection (f)(ii) of this section for isolated rural  
13 schools and employees in those schools.

14

15           **Section 2.** W.S. 6-8-104(t)(ix), 6-8-401(c) and  
16 6-8-403(a)(vii) are amended to read:

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18           **6-8-104. Wearing or carrying concealed weapons;**  
19 **penalties; exceptions; permits.**

20

21           (t) No person authorized to carry a concealed weapon  
22 pursuant to paragraphs (a)(ii) through (iv) of this section  
23 shall carry a concealed firearm into:

1

2 (ix) Any elementary or secondary school  
3 facility, ~~except as provided in W.S. 21-3-132~~ if the person  
4 is enrolled as a student at any elementary or secondary  
5 school;

6

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~~ 23-1-302, no state agency  
17 or entity, city, town, county, political subdivision or any  
18 other entity shall authorize, regulate or prohibit the  
19 sale, transfer, purchase, delivery, taxation, manufacture,  
20 ownership, transportation, storage, use, carrying or  
21 possession of firearms, weapons, accessories, components or  
22 ammunition except as specifically provided by this chapter.  
23 This section shall not affect zoning or other ordinances

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

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15 **Section 3.** W.S. 6-8-104(t)(iv) through (vi) and (x)  
16 and 21-3-132 are 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)