

SENATE FILE NO. SF0025

Corrections exception to defense of habitation law.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to crimes and offenses; clarifying that the  
 2 presumption related to self defense and defense of another  
 3 in a home or habitation does not apply to inmate housing in  
 4 correctional and jail facilities; amending the law  
 5 enforcement exception to include corrections employees;  
 6 amending definitions; and providing for an effective date.

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

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10 **Section 1.** W.S. 6-2-602(b)(iii), (d)(i) and (ii) is  
 11 amended to read:

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13 **6-2-602. Use of force in self defense.**

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15 (b) The presumption set forth in subsection (a) of  
 16 this section does not apply if:

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2 (iii) The person against whom the defensive  
3 force is used is a peace officer, employee of the Wyoming  
4 department of corrections or employee of any other secure  
5 facility under contract with the department of corrections  
6 to house inmates who enters or attempts to enter another's  
7 home or habitation in the performance of his official  
8 duties.

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10 (d) As used in this section:

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12 (i) "Habitation" means any structure which is  
13 designed or adapted for overnight accommodation, including,  
14 but not limited to, buildings, modular units, trailers,  
15 campers and tents, but does not include the inmate housing  
16 area of a jail, state penal institution or other secure  
17 facility under contract with the department of corrections  
18 to house inmates;

19

20 (ii) "Home" means any occupied residential  
21 dwelling place other than the inmate housing area of a  
22 jail, state penal institution or other secure facility

1 under contract with the department of corrections to house  
2 inmates.

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4 **Section 2.** This act is effective July 1, 2018.

5

6 (END)