

CHAPTER 2

REVISOR'S BILL

Original Senate File No. 1001

AN ACT relating to a revision of inadvertent errors; correcting statutory references and language that were erroneously made to the statutes as a result of legislation previously adopted by the legislature; providing for application as specified; and providing for an effective date.

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

**Section 1.** W.S. 9-4-821(a)(vi) and 31-5-1201(d)(ii) and (iii) are amended to read:

**9-4-821. Deposits by political subdivisions; security in lieu of surety bonds.**

(a) Instead of the bonds provided for in W.S. 9-4-820, the banks or savings and loan associations receiving on deposit public funds may, as security therefor, furnish to the proper treasurer of any county, municipality, community college districts or school district, any of the following:

(vi) Conventional first mortgages of Wyoming real estate at a ratio of one and one-half to one (1.5:1) of the value of public funds secured thereby;

**31-5-1201. Violation of provisions to constitute misdemeanor; penalties.**

(d) Except as provided in subsection (g) of this section:

(ii) Every person convicted of a violation of W.S. 31-5-301(b)(iv), for speeds at or above seventy (70) miles per hour, shall be fined twenty-five dollars (\$25.00) plus three dollars (\$3.00) per mile for each mile per hour in excess of seventy (70) miles per hour. ~~Persons punished under this paragraph for exceeding seventy (70) miles per hour shall be assessed five dollars (\$5.00) for court costs and shall not be with assessed court costs; for speeds less than seventy one (71) miles per hour, notwithstanding W.S. 7-11-505;~~

(iii) Every person convicted of a violation of W.S. 31-5-301(b)(iii), for speeds above eighty (80) miles per hour, shall be fined at the discretion of the judge but not less than thirty-five dollars (\$35.00) nor more than the maximum penalties provided by subsection (b) of this section, with assessed court costs which shall also apply to a violation of W.S. 31-5-301(b)(iii) for a speed of eighty (80) miles per hour;

**Section 2.** W.S. 6-2-308(b), 9-3-412(d), 20-7-101(a) and 35-4-107(a) are amended to read:

**6-2-308. Criminality of conduct; victim's age.**

(b) If criminality of conduct in this article depends upon a victim being under twelve (12) years or under fourteen (14) years, it is no defense that

the actor did not know the victim's age, or that he reasonably believed that the victim was twelve (12) years or fourteen (14) years of age or older, as applicable.

**9-3-412. Members' contributions; payroll deductions; employer authorized to pay employee's share.**

(d) In addition to contributions paid under subsection (a) of this section and for purposes of retirement benefits provided under W.S. 9-3-415(f), each law enforcement officer, or governing body, at the sole discretion of the governing body, shall pay into the account an additional three and seventy-three one hundredths percent (3.73%) of his salary or an amount determined by the board as necessary to maintain the actuarial integrity of the account to fund benefits provided to law enforcement officers. No additional contribution shall be imposed upon the state, any city, town or county for benefits provided under W.S. 9-3-415(f).

**20-7-101. Establishing grandparents' visitation rights.**

(a) A grandparent may bring an original action against any person having custody of the grandparent's minor grandchild to establish reasonable visitation rights to the child. If the court finds, after a hearing, that visitation would be in the best interest of the child and that the rights of the child's parents are not substantially impaired, the court shall grant reasonable visitation rights to the grandparent. In any action under this section for which the court appoints a guardian ad litem, the grandparent shall be responsible for all fees and expenses associated with the appointment.

**35-4-107. Report required of physician; record of each case to be kept; duty of individuals to report diseases.**

(a) Pursuant to department of health rules and regulations, the state health officer or his designee shall publish a list of communicable diseases or conditions to be reported by licensed physicians and laboratories in the state. It shall be the duty of every practicing or licensed physician or other health care provider as provided by department rules and regulations in the state of Wyoming to report immediately to the state ~~epidemiologist~~ health officer or his designee in the manner established by department rule and regulation through published reporting procedures provided to each licensed physician or laboratory. The state health officer or his designee shall collect and provide information which may include the name of the person suffering from disease only to the county health officer or health representatives where disease control efforts are required. For purposes of this section, "health representatives" means those health care workers assigned by federal, state or local health authorities to assist with disease control and investigation efforts under the direct supervision of the state health officer or his designee and local county health officer. Any person knowing of a case of a serious contagious or infectious disease, not under the care of a physician, may report the same to the state health officer or his designee or the health officer of the county in which the disease exists.

**Section 3.** 1997 Wyoming Session Laws, Chapter 154, Section 3 is amended to read:

**Section 3.** W.S. 31-2-301 through 31-2-304, 31-3-101(b)(v), 31-3-102(a)(xi), 31-16-101(a)(xviii)(C), 31-16-103(b)(i) ~~through (iii) and (ii)~~, 31-16-104(a)(iii), (iv) and (c), 31-16-108(a)(viii) and 31-18-404(a) through (c) are repealed.

**Section 4.** Section 6 of 1997 Wyoming Session Laws, Chapter 199 is repealed.

**Section 5.** Any other act adopted by the Wyoming legislature during the same session in which this act is adopted shall be given precedence and shall prevail over the amendments in this act to the extent that such acts are in conflict with this act.

**Section 6.** Sections 1 and 5 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

**Section 7.** Section 2 of this act is effective July 1, 1997.

**Section 8.** Sections 3 and 4 of this act are effective January 1, 1998.

Approved June 9, 1997.