

Parks

2)

81 LSO -276

SENATE FILE 84

SENATE FILE 84

Title:

AN ACT to amend W.S. 18-3-605 relating to county sheriffs; authorizing sworn peace officers employed full time as legal advisors to practice law excluding criminal defense cases; and providing for an effective date.

Senator Parks

Introduced by: *Outburn M. Park*

DATE	ACTION	DATE	ACTION
✓ 1-13-81			
	REFERRED TO COM. NO. <u>7</u>		
	DELIVERED TO LSO FOR PRINTING		
	RETURNED FROM LSO FOR PRINTED		
	DELIVERED TO COM. NO. <u>7</u>		
✓ 1-23-81	SENATOR'S COMM. REPORT		
	DO PASS		
✓ 1-24-81	CLAUSED IN COM. OF HOUSE		
	DO PASS		
✓ 1-26-81	READ SECOND TIME		
	AMENDED AS FOLLOWS SP24521-A		
✓ 1-27-81	READ THIRD TIME		
	AMENDED		
	AMENDED BY EXCISED ○ AMEND. ○		
	SENT TO HOUSE		
01-27-81	ENGROSSED		
	<i>Sent to House</i>		
01-28-81	READ FIRST TIME		
	REFERRED TO COM. NO. <u>1</u>		
	DELIVERED TO COM. NO. <u>1</u>		

CONTINUED ON BACK

Roll Call of the Senate

of the FORTY-SIXTH LEGISLATURE

of Wyoming

	Ayes	Noes	Excused	Absent
31 ARNEY		✓		
30 BOYLE	✓			
29 BUSSART	✓			
28 CHRISTENSEN	✓			
27 CUNDALL				
26 DAILY	✓			
25 DOWNING	✓			
24 FRISBY		✓		
23 GEIS		✓		
22 HICKEY		✓		
21 LARSON, R.	✓			
20 MAJHANOVICH	✓			
19 MOORE		✓		
18 NICHOLAS	✓			
17 NICHOLS		✓		
16 NORRIS		✓		
15 NORTHRUP		✓		
14 PARKS	✓			
13 PECK	✓			
12 PROFFIT	✓			
11 RECTOR	✓			
10 SADLER		✓		
9 SEDAR		✓		
8 STAFFORD	✓			
7 STROOCK		✓		
6 TAGGART		✓		
5 TRUE	✓			
4 TURNER	✓			
3 YOUTZ		✓		
2 ZIMMER		✓		
1 MR. PRESIDENT	✓			

PRESENT _____

AYES	<u>16</u>
NOES	<u>14</u>
EXCUSED	<u>0</u>
ABSENT	<u>0</u>
TOTAL	<u>30</u>

S.F. 84

✓ SF84S21/A

- ✓ Page 1-line 1 After "amend" delete the balance of the line.
- ✓ Page 1-line 2 Delete "(c) and"; delete "sheriff and municipal" and insert "sheriffs;".
- ✓ Page 1-line 3 Delete "police departments;".
- ✓ Page 1-line 5 Delete "for purposes of survivor".
- ✓ Page 1-line 6 Delete "benefit eligibility".
- ✓ Page 1-line 8 Delete "15-5-228 by creating a new subsec-".
- ✓ Page 1-line 9 Delete "tion (c) and"; delete "are" and insert "is".
- ✓ Page 1-line 10 Delete the line entirely.
- ✓ Page 2-lines 1 through 7 Delete entirely. -ARNEY

ENGROSSED

1981

STATE OF WYOMING

81LSO-276/eng

SENATE FILE NO. 84

Peace officers as legal advisors.

Sponsored by: Senator PARKS

A BILL

for

1 AN ACT to amend W.S. 18-3-605 relating to county sheriffs;
2 authorizing sworn peace officers employed full time as
3 legal advisors to practice law excluding criminal defense
4 cases; and providing for an effective date.

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

6 Section 1. W.S. 18-3-605 is amended to read:

7 18-3-605. Service of process on sheriff; appearing
8 as attorney prohibited; exception. Every

9 (a) EACH paper required by law to be served on the

1 county sheriff may be served on him in person or left
2 DELIVERED at his office during business hours.

3 (b) No sheriff or deputy shall appear or advise as
4 attorney or counselor in any case in any court EXCEPT AS
5 PROVIDED IN SUBSECTION (c) OF THIS SECTION.

6 (c) A SWORN PEACE OFFICER EMPLOYED FULL TIME AS A
7 LEGAL ADVISOR BY THE COUNTY SHERIFF MAY, IF OTHERWISE
8 QUALIFIED, PRACTICE LAW WITH THE CONSENT OF HIS EMPLOYER,
9 PROVIDED THE PRACTICE OF LAW DOES NOT INVOLVE CRIMINAL
10 DEFENSE IN ANY COURT.

11 Section 2. This act is effective May 20, 1981.

12 (END)

House of Intro
 _____ To Com No. _____
 _____ Stand Report Do ___ Amd ___ Not ___
 _____ Com Whole Do ___ Amd ___ Not ___
 _____ 2nd Reading Amd ___
 _____ 3rd Reading Amd ___ Pass ___ Fail ___

Second House
 _____ To Com No. _____
 _____ Stand Report Do ___ Amd ___ Not ___
 _____ Com Whole Do ___ Amd ___ Not ___
 _____ 2nd Reading Amd ___
 _____ 3rd Reading Amd ___ Pass ___ Fail ___

INTRODUCED

1981

STATE OF WYOMING

81LSO-276.01

SENATE FILE NO. 84

Peace officers as legal advisors.

Sponsored by: Senator PARKS

Senator Parks

A BILL

for

1 AN ACT to amend W.S. 15-5-228 by creating a new subsection
 2 (c) and 18-3-605 relating to county sheriff and municipal
 3 police departments; authorizing sworn peace officers
 4 employed full time as legal advisors to practice law
 5 excluding criminal defense cases for purposes of survivor
 6 benefit eligibility; and providing for an effective date.

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

8 Section 1. W.S. 15-5-228 by creating a new subsec-
 9 tion (c) and 18-3-605 are amended to read:

10 15-5-228. Pension to surviving spouse and children;

1 police officer defined.

2 (c) FOR PURPOSES OF THIS SECTION, "POLICE OFFICER"
3 INCLUDES A SWORN PEACE OFFICER EMPLOYED FULL TIME BY THE
4 POLICE DEPARTMENT WHO, WITH THE CONSENT OF HIS EMPLOYER
5 AND IF OTHERWISE QUALIFIED, PRACTICES LAW PROVIDED THE
6 PRACTICE OF LAW DOES NOT INVOLVE CRIMINAL DEFENSE IN ANY
7 COURT.

8 18-3-605. Service of process on sheriff; appearing
9 as attorney prohibited; exception. Every

10 (a) EACH paper required by law to be served on the
11 county sheriff may be served on him in person or ~~left~~
12 DELIVERED at his office during business hours.

13 (b) No sheriff or deputy shall appear or advise as
14 attorney or counselor in any case in any court EXCEPT AS
15 PROVIDED IN SUBSECTION (c) OF THIS SECTION.

16 (c) A SWORN PEACE OFFICER EMPLOYED FULL TIME AS A
17 LEGAL ADVISOR BY THE COUNTY SHERIFF MAY, IF OTHERWISE
18 QUALIFIED, PRACTICE LAW WITH THE CONSENT OF HIS EMPLOYER,
19 PROVIDED THE PRACTICE OF LAW DOES NOT INVOLVE CRIMINAL
20 DEFENSE IN ANY COURT.

FISCAL NOTE

Anticipated REVENUE to:	Fiscal Year 19	Fiscal Year 19
TOTAL ESTIMATED REVENUE		
Anticipated COST to:	Fiscal Year 19	Fiscal Year 19
TOTAL ESTIMATED COST		

No apparent fiscal or personnel impact.