

HOUSE BILL NO. HB0102

Attorney general-elected.

Sponsored by: Representative(s) Heiner, Allemand, Banks, Bear, Haroldson, Knapp, Lucas, Pendergraft, Webber and Winter and Senator(s) Boner, Kolb, Laursen, D, Pearson and Steinmetz

A BILL

for

1 AN ACT relating to the attorney general; providing for the
2 election of the attorney general; designating the attorney
3 general as a state elected official; setting the attorney
4 general's term of office; setting the attorney general's
5 salary; providing for filling a vacancy in the position;
6 repealing and modifying provisions for interim appointment;
7 providing for the application of the Ethics and Disclosure
8 Act and other laws to the office of the attorney general
9 and attorney general as a state elected official; amending
10 certain provisions regarding actions the attorney general
11 takes requiring approval of or pursuant to the direction of
12 the governor; prescribing additional duties of the attorney
13 general; making conforming amendments; and providing for
14 effective dates.

1

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

3

4 **Section** 1. W.S. 9-1-601, 9-5-101(a),
5 22-2-105(a)(ii)(intro) and 22-6-117(a)(iv) are amended to
6 read:

7

8 **9-1-601. Appointment; term; removal; special**
9 **assistant for legislative affairs; qualifications.**

10

11 (a) Until the term of office of the attorney general
12 commences following the 2026 general election, the attorney
13 general of the state of Wyoming shall be appointed by the
14 governor with the advice and consent of the senate in
15 accordance with W.S. 28-12-101 through 28-12-103 and may be
16 removed by the governor as provided in W.S. 9-1-202.
17 Beginning at the 2026 general election, the attorney
18 general shall be elected in a statewide election for a term
19 of four (4) years.

20

21 (b) Prior to the 2026 general election, if a newly
22 elected governor appoints an attorney general to take
23 office prior to or during the legislative session next

1 following the governor's election, the newly appointed
2 attorney general designee shall become a member of the
3 attorney general's staff to serve as a special assistant to
4 the governor for legislative affairs. When the legislative
5 session adjourns the attorney general's term of office
6 shall terminate.

7
8 (c) ~~Prior to his~~ To be eligible for appointment or
9 election, the attorney general shall have been a practicing
10 attorney for at least four (4) years, ~~At the date of~~
11 ~~appointment, he~~ shall be in good standing in the courts of
12 record of this state and shall be a resident and elector of
13 the state.

14
15 **9-5-101. State building commission; composition;**
16 **general powers and duties; conflicts of interest.**

17
18 (a) The ~~five (5) elected state officers~~ governor,
19 secretary of state, state auditor, state treasurer and
20 state superintendent of public instruction shall constitute
21 the state building commission. The governor shall be
22 chairman of the commission, but in his absence from any
23 meeting, one (1) of the members may act as chairman, and

1 shall preside at the meeting. All votes taken to decide the
2 commission's final action on any matter shall be recorded.

3

4 **22-2-105. Terms of office and offices voted on at**
5 **general elections.**

6

7 (a) The terms of office and offices voted on at
8 general elections are as follows:

9

10 (ii) Four Year Term. - At the general election
11 in 1974 and in every fourth ~~(4th)~~ year thereafter, there
12 shall be elected the following officers: one (1) governor,
13 one (1) secretary of state, one (1) state treasurer, one
14 (1) state auditor, one (1) superintendent of public
15 instruction, county clerks, county treasurers, county
16 assessors, county coroners, county and prosecuting
17 attorneys, district attorneys, sheriffs, clerks of the
18 district court. At every general election there shall be
19 elected the necessary member or members of the Wyoming
20 senate and county commissioners. At the general election in
21 2026 and every fourth year thereafter, there shall be
22 elected an attorney general. The question of retention of a

1 circuit court judge or a magistrate of the circuit court
2 shall be submitted:

3

4 **22-6-117. Order of listing offices in partisan**
5 **elections.**

6

7 (a) The major party primary and general partisan
8 election ballots shall contain the offices to be voted on
9 in the following order:

10

11 (iv) Candidates for governor, secretary of
12 state, state auditor, state treasurer, ~~and~~ superintendent
13 of public instruction and, beginning at the 2026 primary
14 and general election, the attorney general;

15

16 **Section 2.** W.S. 1-26-509(k), 1-31-103, 1-35-103(a),
17 1-35-104, 7-3-102, 7-22-101(a)(vi), 7-22-102(a), (b),
18 (c)(intro) and (d), 7-22-108(a), 8-1-102(a)(xii),
19 8-2-101(a)(vi), 9-1-101(b), 9-1-211(a) by creating a new
20 paragraph (vi) and by renumbering (vi) through (viii) as
21 (vii) through (ix), 9-1-602, 9-1-603(b) and (c), 9-1-604,
22 9-1-605(b) through (d), 9-1-608(a) and (b), 9-1-611(c),
23 9-1-618(b)(i), 9-1-633(a) and (b)(intro), 9-1-636(b) and

1 (c)(intro), 9-2-3204(h)(i), 9-3-101(a) by creating a new
2 paragraph (viii), 9-4-218(a)(iii), 9-13-102(a)(xii)(A) and
3 (xvi), 9-13-108(a)(intro), 9-14-101, 9-14-102(c),
4 18-3-902(a), 22-18-111(a)(intro) and (i), 28-1-115(g)(ii),
5 28-12-102(c) and by creating a new subsection (d),
6 35-7-1004, 35-11-1507(a) and 35-21-110(a) are amended to
7 read:

8

9 **1-26-509. Negotiations; scope of efforts to purchase.**

10

11 (k) Attorney's fees and other expenses awarded under
12 this section from a public entity to a condemnee shall be
13 reported by the public entity which paid the fees, to the
14 Wyoming attorney general within sixty (60) days of the
15 award. The Wyoming attorney general shall collect this data
16 and report annually to the ~~governor~~joint revenue interim
17 committee and joint judiciary interim committee on the
18 amount of all taxpayer funded fee awards, beginning July
19 31, 2014. The report shall identify the name of each party
20 to whom an award was made, the name of each counsel of
21 record representing each party to whom an award was made,
22 the public agency which paid each award and the total
23 amount of each award.

1

2 **1-31-103. Commencement of action.**

3

4 The attorney general or a county attorney ~~shall~~may
5 commence an action ~~when directed by the governor, supreme~~
6 ~~court or legislature, or~~ when upon complaint or otherwise
7 he has good reason to believe that such an action can be
8 established by proof. The attorney general may commence an
9 action when requested by the governor, supreme court or
10 legislature. A county attorney shall commence an action
11 when directed by the governor, supreme court or
12 legislature.

13

14 **1-35-103. Violation of state contracts to be reported**
15 **to attorney general; investigation; action to recover**
16 **damages; employment of special assistants.**

17

18 (a) Any officer, board or commission of the state of
19 Wyoming, or their legal counsel, responsible for the
20 enforcement of any contract between the state of Wyoming
21 and any person, having reason to believe that there has
22 been a violation of the terms of the contract to the damage
23 of the state of Wyoming, shall report the matter to the

1 attorney general of the state of Wyoming. The attorney
2 general shall make such investigation of the matter as is
3 necessary. Upon completion of the investigation and finding
4 of probable damages to the state of Wyoming, the attorney
5 general may bring suit in any court of competent
6 jurisdiction to recover all damages that the state of
7 Wyoming may have incurred by reason of the breach of
8 contract, or for any money or other property that may be
9 due on the contract. ~~Subject to the governor's approval he~~
10 The attorney general may employ specially qualified
11 assistants or counsel to aid in any investigation of such
12 action.

13

14 **1-35-104. Actions under control of attorney general;**
15 **settlement or compromise with approval of governor.**

16

17 The attorney general shall control all investigations and
18 actions instituted and conducted ~~in~~on behalf of the state
19 as provided in W.S. 1-35-103 and has full discretionary
20 powers to prosecute all investigations and litigation and,
21 ~~with the approval of the governor,~~ to settle, compromise or
22 dismiss the actions.

23

1 7-3-102. Appointment of attorney general to represent
2 state on joint commissions.

3
4 The ~~governor shall appoint the~~ attorney general is hereby
5 appointed as the commissioner who shall represent Wyoming
6 upon any joint commission created by Wyoming and any one
7 (1) or more states for the purpose of negotiating and
8 entering into agreements or compacts for cooperative effort
9 and mutual assistance in the prevention of crime and in the
10 enforcement of the respective criminal laws and policies of
11 Wyoming and any other state and for the establishment of
12 agencies deemed desirable for making effective any
13 agreement or compact.

14

15 7-22-101. Definitions.

16

17 (a) As used in this article:

18

19 (vi) "~~Five (5)~~ Six (6) state elected officials"
20 means the governor, secretary of state, state auditor,
21 state treasurer, attorney general and superintendent of
22 public instruction;

23

1 **7-22-102. Authority to contract; general conditions.**

2

3 (a) The state or a local government may contract with
4 private entities for the construction, lease (as lessor or
5 lessee), acquisition, improvement, operation, maintenance,
6 purchase or management of facilities and services as
7 provided in this article, but only after receiving the
8 consent of the ~~five (5)~~ six (6) state elected officials as
9 to site, number of beds and classifications of inmates or
10 prisoners to be housed in the facility.

11

12 (b) No contract shall be entered into or renewed
13 unless the contracting governmental entity, with the
14 concurrence of the ~~five (5)~~ six (6) state elected
15 officials, determines the contract offers substantial cost
16 savings to the contracting governmental entity and at least
17 the same quality of services provided by the state or by
18 similar local governments.

19

20 (c) After receiving the majority consent of the ~~five~~
21 ~~(5)~~ six (6) state elected officials as to the site, number
22 of beds and classifications of inmates or prisoners to be
23 housed in the facility, the state or the local government

1 may contract with private entities for the construction,
2 lease (as lessor or lessee), acquisition, improvement,
3 operation, maintenance, purchase or management of
4 facilities, either:

5
6 (d) The state or the local government may reject or
7 return prisoners from outside the state. Prisoners or
8 inmates of out-of-state, nonfederal jurisdictions shall not
9 be incarcerated in any facility operated by a local
10 government entity under this article without the consent of
11 the majority of the ~~five (5)~~ six (6) state elected
12 officials. ~~of this state.~~ At no time shall the number of
13 prisoners from out-of-state, nonfederal jurisdictions
14 incarcerated in a facility operated by a local government
15 entity under this article exceed thirty percent (30%) of
16 the capacity of that facility. Any out-of-state, nonfederal
17 prisoner shall be returned to the jurisdiction of origin to
18 be released from custody by them, outside the state of
19 Wyoming at the appropriate time.

20

21 **7-22-108. Monitoring; right of access.**

22

1 (a) The contracting governmental entity at the
2 contractor's expense, shall employ an individual to be
3 responsible for monitoring all aspects of the private
4 contractor's performance under a contract for the operation
5 of a facility pursuant to W.S. 7-22-102. The individual
6 employed as contract monitor shall be qualified to perform
7 this function by reason of education, training and
8 experience as determined by the ~~five (5)~~ six (6) state
9 elected officials. At a minimum, the contract monitor shall
10 have completed at least the same training required by this
11 article for detention officers and shall have served a
12 minimum of three (3) years as a detention officer. The
13 monitor, with the approval of the contracting governmental
14 entity, shall appoint staff as necessary to assist in
15 monitoring at the facility, which staff shall be at the
16 contractor's expense and will be solely responsible to the
17 contract monitor. The monitor or his designee shall be
18 provided an on-site work area by the contractor, shall be
19 on-site on a daily basis, and shall have access to all
20 areas of the facility and to inmates and staff at all
21 times. The contractor shall provide any and all data,
22 reports and other materials that the monitor determines are

1 necessary to carry out monitoring responsibilities under
2 this section.

3

4 **8-1-102. Definitions.**

5

6 (a) As used in the statutes unless the legislature
7 clearly specifies a different meaning or interpretation or
8 the context clearly requires a different meaning:

9

10 (xii) "Elected state official" means the
11 governor, secretary of state, state auditor, state
12 treasurer, attorney general and superintendent of public
13 instruction;

14

15 **8-2-101. Distribution of statutes, supplements and**
16 **session laws.**

17

18 (a) Statutes, supplements and session laws shall be
19 distributed as provided by contract with the publisher or
20 as directed by the management council, to the following,
21 without charge:

22

1 (vi) One (1) copy to each of the ~~five (5)~~ six
2 (6) elected state ~~officers~~ officials;

3
4 **9-1-101. Location of seat of government; residence of**
5 **state officials; deputies authorized; state superintendent**
6 **of public instruction physical office designation.**

7
8 (b) The governor, secretary of state, state
9 treasurer, state auditor, attorney general and state
10 superintendent of public instruction shall reside and
11 maintain their offices at the seat of government.

12
13 **9-1-211. Vacancy in office of governor; successor**
14 **designated; order of succession; proclamation on**
15 **succession.**

16
17 (a) If the governor is removed, dies, resigns or is
18 unable to act, the state officer appearing highest on the
19 following list who satisfies all constitutional
20 qualifications for governor and is not under impeachment by
21 the house of representatives shall act as governor until
22 the disability of the governor is removed or a new governor
23 is elected and qualified:

1

2

(vi) Attorney general;

3

4

~~(vi)~~(vii) State superintendent of public

5

instruction;

6

7

~~(vii)~~(viii) Vice-president of the senate;

8

9

~~(viii)~~(ix) Speaker pro tem of the house of

10

representatives.

11

12

9-1-602. Vacancy in office.

13

14

~~In case of~~ A vacancy in the office of attorney general ~~the~~

15

~~governor~~ shall ~~appoint a qualified person to fill the~~

16

~~vacancy in accordance with the provisions of~~ be filled as

17

provided by W.S. ~~28-12-101(b)~~ 22-18-111, except the vacancy

18

shall be subject to senate confirmation as provided in W.S.

19

28-12-101 and 28-12-102.

20

21

9-1-603. Duties generally; retention of qualified

22

practicing attorneys; matters in which county or state is

23

party or has interest; assistance to county and district

1 attorneys in felony trials; coordination of county and
2 school safety activities.

3

4 (b) ~~With the approval of the governor~~ The attorney
5 general may retain qualified practicing attorneys to
6 prosecute fee-generating suits for the state if expertise
7 in a particular field is desirable.

8

9 (c) Upon the failure or refusal of any district or
10 county attorney to act in any criminal or civil case or
11 matter in which the county, state or any agency thereof is
12 a party, or has an interest, the attorney general may, at
13 the request of the board of county commissioners of the
14 county involved or of the district judge of the judicial
15 district involved, act on behalf of the county, state or
16 any agency thereof, if after a thorough investigation the
17 action is deemed advisable by the attorney general. The
18 cost of investigation and the cost of any prosecution
19 arising therefrom shall be paid out of the general fund of
20 the county where the investigation and prosecution take
21 place. The attorney general ~~shall~~ may also, ~~upon direction~~
22 ~~of the governor,~~ investigate any matter in any county of
23 the state in which the county, state or any agency thereof

1 may be interested. After investigation, the attorney
2 general shall submit a report of the investigation to ~~the~~
3 ~~governor and to~~ the district or county attorney of each
4 county involved and may take such other action as ~~he~~ the
5 attorney general deems appropriate.

6

7 **9-1-604. Office in state capital; private practice**
8 **prohibited; exception.**

9

10 The attorney general shall keep an office in the state
11 capital, shall not open an office elsewhere and shall not
12 engage in any private practice except to consummate
13 business pending at the time of his election or appointment
14 if not in conflict with the duties of his office.

15

16 **9-1-605. Approval of public securities and official**
17 **bonds; water rights proceedings; investigation of**
18 **misconduct of county official; commencement of action.**

19

20 (b) ~~Under the direction of the governor~~ The attorney
21 general shall institute and pursue proceedings to maintain
22 the state's and its citizens' rights in the waters of
23 interstate streams.

1

2 (c) Upon representation to the ~~governor~~attorney
3 general of misconduct or malfeasance in office or the
4 commission of a crime by any county officer in the state
5 and if the ~~governor~~attorney general believes the ends of
6 justice demand or the matter will not be properly
7 investigated and prosecuted by the sheriff and by the
8 district attorney of the county, ~~the governor may direct~~
9 the attorney general ~~to~~may investigate the case.

10

11 (d) Upon completion of the investigation, the
12 attorney general ~~shall report the results of the~~
13 ~~investigation and his recommendations to the governor. If~~
14 ~~the governor and the attorney general determine that the~~
15 ~~attorney general should~~may institute a criminal or civil
16 action, as the attorney general ~~shall commence the action~~
17 deems appropriate. The attorney general shall have the
18 authority and duty vested in district attorneys in this
19 state.

20

21 **9-1-608. Assistant attorneys general.**

22

1 (a) ~~With the approval of the governor,~~ The attorney
2 general may appoint assistant attorneys general necessary
3 for the efficient operation of his office. Each assistant
4 attorney general shall be a member in good standing of the
5 Wyoming bar and shall serve at the pleasure of the attorney
6 general. The assistants shall act under the direction of
7 the attorney general and his deputies. The attorney
8 general, his deputies or his assistants may appear in any
9 courts of the state or the United States and prosecute or
10 defend on behalf of the state. An appearance by the
11 attorney general or his staff does not waive the sovereign
12 immunity of the state.

13

14 (b) ~~With the approval of the governor~~ The attorney
15 general may appoint special assistant attorneys general for
16 any purposes. A person shall not be employed as an attorney
17 or legal counsel by any department, board, agency,
18 commission or institution of the state, or represent the
19 state in that capacity, except by the written appointment
20 of the attorney general. Written appointment of the
21 attorney general shall not be required for the employment
22 of legal counsel by elected state officials.

23

1 **9-1-611. Division of criminal investigation; created;**
2 **definitions; director; appointment; qualifications.**

3
4 (c) ~~With the approval of the governor,~~ The attorney
5 general shall appoint a director who is the chief
6 administrative officer and chief agent of the division.

7
8 **9-1-618. Agents to be safeguarded as peace officers;**
9 **general assistance to state, county or local authorities;**
10 **investigative duties.**

11
12 (b) The division shall investigate:

13
14 (i) Suspected criminal activity when directed by
15 the ~~governor~~ attorney general to do so;

16
17 **9-1-633. Wyoming law enforcement academy; director;**
18 **appointment; term; qualifications; employees; salaries;**
19 **curriculum and training programs; fees; disposition.**

20
21 (a) A director of the Wyoming law enforcement academy
22 shall be appointed by the ~~attorney general with the consent~~
23 ~~of the~~ governor. The director shall serve at the pleasure

1 of the attorney general. ~~He~~The director shall have
2 administrative and operational experience in criminal
3 justice and such other qualifications as are satisfactory
4 to the ~~attorney general~~governor.

5
6 (b) The director may employ assistants, instructors
7 and other personnel as approved by the attorney general.
8 ~~with the consent of the governor.~~ The attorney general may
9 appoint the director as a peace officer, if qualified
10 pursuant to W.S. 9-1-701 through 9-1-707. The director may
11 appoint full-time staff instructors who qualify pursuant to
12 W.S. 9-1-701 through 9-1-707 to perform as peace officers.
13 Persons appointed as peace officers pursuant to this
14 subsection shall be considered peace officers only:

15
16 **9-1-636. Division of victim services; created;**
17 **appointment of director and deputy director; administrative**
18 **and clerical employees; definitions.**

19
20 (b) ~~With the approval of the governor,~~The attorney
21 general shall appoint a director who is the chief
22 administrative officer of the division. The director is
23 responsible to the attorney general for the operation of

1 the division and shall serve at the pleasure of the
2 attorney general.

3

4 (c) With the consent of the attorney general ~~and the~~
5 ~~governor,~~ and subject to legislative appropriation, the
6 director may:

7

8 **9-2-3204. General services division.**

9

10 (h) The general services division shall:

11

12 (i) Manage and control all state motor vehicles
13 and equipment including their identification, purchase,
14 lease, replacement, repair and permanent assignment, except
15 for state owned or leased vehicles personally used by or
16 assigned to the governor, secretary of state, state
17 auditor, state treasurer, attorney general or
18 superintendent of public instruction;

19

20 **9-3-101. Salaries; amount; date of payment.**

21

22 (a) Salaries for clerk of the supreme court and
23 district court reporters shall be determined by the supreme

1 court as authorized by legislative appropriations. Subject
2 to constitutional limitations the following state officers
3 and members of the judiciary shall receive the salaries
4 indicated by the figures following their respective titles:

5

6 (viii) Attorney General \$175,000.00.

7

8 **9-4-218. Federal natural resource policy account**
9 **created; purposes.**

10

11 (a) There is created an account known as the "federal
12 natural resource policy account." Funds within the account
13 may be expended by the governor on behalf of the state of
14 Wyoming and its local governments, to take any of the
15 actions specified in this subsection related to federal
16 land, water, air, mineral and other natural resource
17 policies which may affect the tax base of the state,
18 wildlife management, state species, recreation, private
19 property rights, water rights or leasehold rights. Funds
20 also may be expended for preparing and participating in
21 environmental impact statements and environmental
22 assessments, including analysis of economic or social and
23 natural or physical environmental effects on the human

1 environment. Funds also may be expended for coordinating
2 and participating in rangeland health assessments pursuant
3 to W.S. 11-2-207. The governor may expend funds from the
4 federal natural resource policy account for:

5
6 (iii) Investigating, initiating, intervening or
7 otherwise participating in litigation, or taking any other
8 legal action by the state, a state agency or the counties
9 of the state individually or jointly, that furthers the
10 purposes of this subsection. In carrying out this
11 subsection, the attorney general, or the counties, with
12 approval of the governor, may retain qualified practicing
13 attorneys to act for the state or the counties, including
14 providing representation in other forums with the federal
15 government or other state or county governments that may
16 preclude or resolve any outstanding issues or attempting to
17 influence pertinent federal legislation;

18
19 **9-13-102. Definitions.**

20
21 (a) As used in this article:

22

1 (xii) "Public employee" means any of the
2 following state employees:

3

4 (A) The ~~attorney general and the~~ director
5 of any department of the executive branch appointed by the
6 governor under W.S. 9-2-1706, or the director of any
7 legislative agency;

8

9 (xvi) "State office" means the state offices of
10 governor, treasurer, superintendent of public instruction,
11 auditor, secretary of state, attorney general and member of
12 the state legislature;

13

14 **9-13-108. Disclosure required.**

15

16 (a) Not later than January 31 annually, each of the
17 state's ~~five (5)~~ six (6) elected officials and each member
18 of the Wyoming legislature shall file a financial
19 disclosure form with the secretary of state. The form shall
20 be signed by the elected official or legislator filing it
21 and under a certification that it is accurate. Except as
22 otherwise provided in this subsection, the financial

1 disclosure form shall contain the following information
2 current as of January 15 of that year:

3

4 **9-14-101. Second amendment defense.**

5

6 The attorney general may seek to intervene or file an
7 amicus curiae brief in any lawsuit filed in any state or
8 federal court in Wyoming, or filed against any Wyoming
9 citizen or firm in any other jurisdiction for damages for
10 injuries as a result of the use of ~~fire arms~~ firearms that
11 are not defective, if in his judgment, the action endangers
12 the constitutional right of citizens of Wyoming to keep and
13 bear arms. The attorney general is directed to advance
14 arguments that protect the constitutional right to bear
15 arms. ~~Before intervening in any lawsuit pursuant to this~~
16 ~~section, the attorney general shall obtain the approval of~~
17 ~~the governor.~~

18

19 **9-14-102. Unauthorized federal agency actions.**

20

21 (c) The attorney general may seek to take action
22 before the federal environmental protection agency, the
23 federal occupational safety and health administration or

1 any other federal agency or in any state or federal court
2 to stop the enforcement, administration or implementation
3 of rulemaking or other actions taken by ~~those agencies~~ any
4 federal agency if, in his judgment, the rulemaking or other
5 action exceeds the authority granted by the United States
6 congress or otherwise rests on questionable authority.
7 ~~Before intervening in or initiating any lawsuit pursuant to~~
8 ~~this section, the attorney general shall obtain the~~
9 ~~approval of the governor.~~

10

11 **18-3-902. Attorney general to commence action;**
12 **petition served with summons; pleading; trial; judgment;**
13 **change of judge.**

14

15 (a) Whenever it appears to the ~~governor~~ attorney
16 general on the verified complaint of qualified electors or
17 the board of county commissioners of the county that any
18 county officer is guilty of misconduct or malfeasance in
19 office, ~~he may direct~~ the attorney general ~~to~~ may commence
20 and prosecute an action in the district court of the county
21 in which the officer is an official asking for the removal
22 of the officer. The action shall be commenced by the filing
23 of a verified petition in the name of the state of Wyoming

1 signed by the attorney general setting forth the facts
2 constituting the misconduct or malfeasance in office.

3

4 **22-18-111. Vacancies in other offices; temporary**
5 **appointments.**

6

7 (a) Any vacancy in any other elective office in the
8 state except representative in congress or the board of
9 trustees of a school or community college district, shall
10 be filled by the governing body, or as otherwise provided
11 in this section, by appointment of a temporary successor.
12 Subject to W.S. 28-12-101(b) with respect to the office of
13 attorney general, the person appointed shall serve until a
14 successor for the remainder of the unexpired term is
15 elected at the next general election and takes office on
16 the first Monday of the following January. Provided, if a
17 vacancy in a four (4) year term of office occurs in the
18 term's second or subsequent years after the first day for
19 filing an application for nomination pursuant to W.S.
20 22-5-209, no election to fill the vacancy shall be held and
21 the temporary successor appointed shall serve the remainder
22 of the unexpired term. The following apply:

23

1 (i) If a vacancy occurs in the office of United
2 States senator or in any state office other than the
3 governor, member of the state legislature, the office of
4 justice of the supreme court and the office of district
5 court judge, the governor shall immediately notify in
6 writing the chairman of the state central committee of the
7 political party which the last incumbent represented at the
8 time of his election under W.S. 22-6-120(a)(vii), or at the
9 time of his appointment if not elected to office. The
10 chairman shall call a meeting of the state central
11 committee to be held not later than fifteen (15) days after
12 he receives notice of the vacancy. At the meeting the
13 state central committee shall select and transmit to the
14 governor the names of three (3) persons qualified to hold
15 the office. Within five (5) days after receiving these
16 three (3) names, the governor shall fill the vacancy by
17 temporary appointment of one (1) of the three (3) to hold
18 the office. If the incumbent who has vacated office did
19 not represent a political party at the time of his
20 election, or at the time of his appointment if not elected
21 to office, the governor shall notify in writing the
22 chairman of all state central committees of parties
23 registered with the secretary of state. The state central

1 committees shall submit to the governor, within fifteen
2 (15) days after notice of the vacancy, the name of one (1)
3 person qualified to hold the office. The governor shall
4 also cause to be published in a newspaper of general
5 circulation in the state notice of the vacancy in office.
6 Persons qualified to hold the office who do not belong to a
7 party may, within fifteen (15) days after publication of
8 the vacancy in office, submit a petition signed by one
9 hundred (100) registered voters, seeking consideration for
10 appointment to the office. Within five (5) days after
11 receiving the names of persons qualified to hold the
12 office, the governor shall fill the vacancy by temporary
13 appointment to the office, from the names submitted or from
14 those petitioning for appointment or in the case of the
15 office of the attorney general, the governor shall submit a
16 name or fill the vacancy in accordance with W.S. 28-12-101;

17

18 **28-1-115. Submission of state agency plans to**
19 **legislature; contents; purposes.**

20

21 (g) For purposes of this section and W.S. 28-1-116,
22 "state agency" means:

23

1 (ii) Offices of the ~~five (5) elected state~~
2 ~~officials and the~~ governor, secretary of state, state
3 auditor, state treasurer, attorney general and state
4 superintendent of public instruction; and

5
6 **28-12-102. Senate consideration of gubernatorial**
7 **appointments; procedure; roll call vote required.**

8
9 (c) Except as provided in subsection (d) of this
10 section, if the senate does not consent to a nominee for a
11 given office, the governor shall submit the name, address
12 and biography of another person for senate consideration if
13 the legislature is still in session. If the legislature has
14 adjourned, the governor may make a temporary appointment as
15 provided in W.S. 28-12-101(b). No person rejected by the
16 senate shall be appointed to or serve in, either
17 temporarily or otherwise, the public office for which his
18 nomination was rejected.

19
20 (d) If the senate does not consent to a nominee to
21 fill a vacancy in the office of attorney general submitted
22 by the governor pursuant to W.S. 22-18-111(a)(i), the
23 governor shall submit the name of another person from those

1 provided pursuant to W.S. 22-18-111(a)(i) for senate
2 consideration if the legislature is still in session. If
3 there are no qualified persons remaining for consideration
4 then the process outlined in W.S. 22-18-111(a)(i) shall
5 begin again. No person rejected by the senate under this
6 section shall be appointed to serve in the office of
7 attorney general. If the legislature has adjourned, the
8 governor shall make a temporary appointment as provided in
9 W.S. 28-12-101(b) from persons whose names are submitted
10 pursuant to W.S. 22-18-111(a)(i).

11

12 **35-7-1004. Personnel to administer provisions.**

13

14 The attorney general ~~by and with the consent of the~~
15 ~~governor~~ may employ such personnel as necessary to
16 administer this act. Such personnel shall serve at the
17 pleasure of the attorney general at such compensation as
18 may be approved by the Wyoming personnel division. Said
19 personnel shall be assigned such duties as may be necessary
20 to assist the commissioner in the performance of his
21 responsibilities under this act for the efficient operation
22 of the work of the office.

23

1 **35-11-1507. Injunction proceedings; penalties.**

2

3 (a) When, in the opinion of the ~~governor~~attorney
4 general, a person is violating or is about to violate any
5 provision of this article, the ~~governor~~attorney general
6 shall ~~direct the attorney general to~~ apply to the
7 appropriate court for an order enjoining the person from
8 engaging or continuing to engage in the activity. Upon a
9 showing that the person has engaged, or is about to engage
10 in the activity, the court may grant a permanent or
11 temporary injunction, restraining order or other order.

12

13 **35-21-110. Statewide protection order registry.**

14

15 (a) The Wyoming attorney general ~~or another agency~~
16 ~~designated by the governor~~ shall establish a statewide
17 registry of protection orders related to domestic violence
18 and shall maintain a complete and systematic record and
19 index of all valid temporary and final civil and criminal
20 court orders of protection.

21

1 **Section 3.**

2

3 (a) Except as provided in subsection (b) of this
4 section, this act is effective July 1, 2025.

5

6 (b) Section 2 of this act is effective January 4,
7 2027.

8

9

(END)