

HOUSE BILL NO. HB0078

Firearms in private vehicles.

Sponsored by: Representative(s) Blake, Clem, Duncan, Harshman, Larsen, Lindholm and Olsen and Senator(s) Driskill, Hicks and Nethercott

A BILL

for

1 AN ACT relating to employment; allowing firearms to be  
2 stored in a motor vehicle located in an employer's motor  
3 vehicle parking area; providing exemptions and immunity;  
4 and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 27-16-101 through 27-16-104 are  
9 created to read:

10

11

CHAPTER 16

12

PROTECTION OF SECURED FIREARMS IN PRIVATE VEHICLES

13

14

**27-16-101. Title.**

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1 This act shall be known as the "Right to Keep and Bear Arms  
2 in Private Vehicles Act."

3

4 **27-16-102. Definitions.**

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6 (a) As used in this act:

7

8 (i) "Employee" means any person who:

9

10 (A) Works for salary, wages or other  
11 compensation;

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13 (B) Is an independent contractor; or

14

15 (C) Is a volunteer, intern or other similar  
16 individual.

17

18 (ii) "Employer" means any business that is a  
19 sole proprietorship, partnership, corporation, limited  
20 liability company, professional association, cooperative,  
21 joint venture, trust, firm, institution, entity or  
22 association that has employees;

23

1           (iii) "Firearm" means as defined by W.S.  
2 6-8-403(a)(iii);

3

4           (iv) "Motor vehicle" means as defined by W.S.  
5 31-1-101(a)(xv);

6

7           (v) "Motor vehicle parking" means an area  
8 available for temporary or long-term parking or storage of  
9 motor vehicles that is available to employees, customers or  
10 invitees;

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12           (vi) "This act" means W.S. 27-16-101 through  
13 27-16-104.

14

15           **27-16-103. Protection of certain activities;**  
16 **firearms.**

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18           (a) An employer shall not establish, maintain or  
19 enforce any policy or rule that has the effect of  
20 prohibiting any employee from transporting or storing a  
21 firearm in a motor vehicle on any property designated for  
22 motor vehicle parking, if:

23

1           (i) The employee is not otherwise prohibited  
2 from transporting, possessing, purchasing, receiving,  
3 transferring or storing the firearm;

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5           (ii) The firearm is in a motor vehicle that is  
6 securely locked or is in a locked container attached to the  
7 motor vehicle while the motor vehicle is not occupied; and

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9           (iii) The firearm is not in plain view from the  
10 outside of the motor vehicle.

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12           (b) An employer has no duty of care to any person as  
13 a result of complying with the provisions of this act.

14

15           (c) An employer that complies with this act is not  
16 liable in any criminal or civil action for damages  
17 resulting from or arising out of an occurrence involving  
18 the transportation or storage of a firearm in a motor  
19 vehicle on property designated for motor vehicle parking.  
20 This immunity shall not apply to acts or omissions  
21 unrelated to compliance with this act, constituting gross  
22 negligence or willful or wanton misconduct.

23

1           (d) Nothing in this act shall be construed to expand  
2 any existing duty, or create any additional duty, on the  
3 part of an employer or that employer's agent.

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5           **27-16-104. Exemptions.**

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7           (a) The provisions of this act allowing the  
8 transportation or storage of firearms in motor vehicles  
9 shall not apply to:

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11           (i) The University of Wyoming, community  
12 colleges and schools, including any school building or  
13 school grounds in Wyoming and other properties owned or  
14 leased by a school;

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16           (ii) Government entities, including the federal  
17 government and its agencies, state agencies, cities, towns,  
18 counties and political subdivisions of the state;

19

20           (iii) Religious organizations, including  
21 religious organizations acting as an employer.

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1           (b) Nothing in this act shall affect restrictions on  
2 the carrying of concealed weapons as provided in W.S.  
3 6-8-104(t).

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5           (c) This act shall not apply to any property owned or  
6 leased by an employer upon which possession of a firearm is  
7 prohibited under federal law.

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9           **Section 2.** This act is effective July 1, 2020.

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11

(END)