

Wyoming Liberty Index

62nd Wyoming Legislature ★ 2014 Budget Session

HB0007, Unlawful entry into occupied structure.

Sponsors: Joint Judiciary Interim Committee

Aye votes: Representatives Baker, Barlow, Berger, Blake, Blevins, Blikre, Brown, Burkhart, Byrd, Campbell, Cannady, Coleman, Connolly, Davison, Eklund, Esquibel, K., Filer, Freeman, Gay, Gingery, Goggles, Greene, Halverson, Harshman, Harvey, Hunt, Hutchings, Jaggi, Kasperik, Kirkbride, Kroeker, Krone, Larsen, Lockhart, Loucks, Lubnau, Madden, Mader, McKim, Miller, Moniz, Nicholas, B., Northrup, Patton, Paxton, Petroff, Piiparinen, Reeder, Semlek, Sommers, Stubson, Teeters, Throne, Walters, Watt, Wilson, Winters, Zwonitzer, Dn. and Zwonitzer, Dv. Senators Anderson, JL S28, Barnard, Burns, Christensen, Craft, Esquibel, F., Geis, Hastert, Hines, Johnson, Landen, Nutting, Peterson, Rothfuss, Schiffer, Scott and Von Flatern

Nay votes: Senators Anderson, JD S02, Bebout, Case, Coe, Cooper, Dockstader, Driskill, Emerich, Hicks, Meier, Nicholas, P., Perkins and Ross

Signed by the Governor.

Comments

Creates the new crime of unlawful entry into an occupied structure. One of the elements of the crime is commission of either battery or domestic battery. In effect, this makes battery or domestic battery (a misdemeanor) into a felony. While it might be worth it to make battery or domestic battery a felony, let's do it by the straightforward means of amending the statute. This is an overly convoluted mechanism.

U: Fiscal impact to the Department of Corrections is indeterminable. This bill creates a new felony by combining assault and criminal trespass, and assigning the same penalty to the new crime as is assigned to burglary. This makes the legal code more complex, but it can also be argued that it provides support to the idea that a person's home, and to a certain extent, their property, is their castle.

Weighted Rating: -0.50. Unweighted Rating: -0.50.

Categories

Clarity, General Government, Individual Rights, and Limited Government

For more information on the categories:

<http://wyominglibertyindex.info/2014/methodology.html#thecategories>

Document Status

Final