



**Agenda Item: Original Ordinance, Second Reading**

**Title: Original Ordinance No. 2027, Amending, in part, Section 10.24.005 of the Municipal Code Related to the Definition of ‘Conviction.’**

**Recommended Council MOTION:**

I move to approve on second reading the Original Ordinance No. 2027, Amending, in part, Section 10.24.005 of the Municipal Code related to the definition of ‘conviction.’

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**Administrative or Policy Goal:**

To modernize and clarify Municipal Code as well as make it consistent with state statute.

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**Background:**

Current Code definition of ‘conviction’ is outdated. It is an older definition that is no longer used by Wyoming state statute. The proposed revision aims to align the definition of ‘conviction’ found in Code to the same definition found in Wyoming state statute.

This Code revision would result in the Code reading this way:

**10.24.005 - Definitions.**

‘Conviction’ means a final conviction and shall include:

- (A) An unvacated adjudication of guilt or a determination of a violation in a court of original jurisdiction or an administrative proceeding;
- (B) An unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court;
- (C) A plea of guilty or nolo contendere accepted by the court;
- (D) The payment of a fine or court cost; or
- (E) Violation of a condition of release without bail, regardless of whether the penalty is rebated, suspended or probated.

For ease of comparison, the Code currently reads this way:

**10.24.005 - Definitions.**

‘Conviction’ as “a final conviction and includes an unvacated forfeiture of bail or collateral deposited to secure a defendant's appearance in court, a plea of nolo contendere accepted by the court, the payment of a fine, a plea of guilty or a finding of guilt.”

## **Responsible Staff: City Attorney**

Future dates are subject to change

Introduction/1 <sup>st</sup> Reading	May 18, 2021
Public Hearing	June 1, 2021
2nd Reading	June 1, 2021
3rd and Final Reading	June 18, 2021