

## HOUSE BILL NO. HB0056

Public health orders-2.

Sponsored by: Representative(s) Laursen, Bear, Gray,  
Hallinan, Haroldson, Jennings, Neiman and  
Winter and Senator(s) Biteman, Bouchard,  
French, James and Steinmetz

A BILL

for

1 AN ACT relating to public health orders; limiting public  
2 health orders as specified; requiring legislative  
3 ratification of state health orders as specified; requiring  
4 county ratification of local health orders as specified;  
5 specifying applicability; and providing for an effective  
6 date.

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

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10 **Section 1.** W.S. 35-1-245 is created to read:

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12 **35-1-245. Public health orders limitations;**  
13 **ratification.**

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1           (a) No public health order issued pursuant to W.S.  
2 35-1-240(a)(ii) or (iv), 35-4-103 or 35-4-112 that requires  
3 the closure of public or private buildings, facilities or  
4 other places or limits or forbids gatherings, shall be  
5 effective for a period exceeding fifteen (15) days unless  
6 the order is ratified by the legislature through  
7 legislative order, each house voting separately. Any order  
8 ratified by legislative order shall be effective for a  
9 maximum of fifteen (15) days after the ratification. Public  
10 health orders subject to this subsection may be ratified  
11 more than one (1) time.

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13           (b) No public health order of a local health officer  
14 issued pursuant to W.S. 35-4-103 that requires the closure  
15 of public or private buildings, facilities or other places  
16 or limits or forbids gatherings and that exceeds the  
17 requirements of any state health order shall be effective  
18 for a period exceeding fifteen (15) days unless the order  
19 is ratified by a resolution of the governing body that  
20 directly supervises the local health officer. Any order  
21 ratified shall be effective for a maximum of fifteen (15)  
22 days after the ratification. Public health orders subject  
23 to this subsection may be ratified more than one (1) time.

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2 (c) For purposes of this section, a public health  
3 order is considered to be effective for a period exceeding  
4 fifteen (15) days if the public health order includes an  
5 effective period that exceeds fifteen (15) days or if the  
6 material requirements of the order are contained in  
7 multiple orders whose combined effective period exceeds  
8 fifteen (15) days within any twelve (12) month period.

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10 **Section 2.** W.S. 35-1-240(a)(ii) through (iv),  
11 35-4-103, 35-4-112(c) and 35-4-115(a)(ii)(A) and (B) are  
12 amended to read:

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14 **35-1-240. Powers and duties.**

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16 (a) The department of health, through the state  
17 health officer, or under his direction and supervision,  
18 through the other employees of the department, shall have  
19 and exercise the following powers and duties:

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21 (ii) To investigate and control the causes of  
22 epidemic, endemic, communicable, occupational and other  
23 diseases and afflictions, and physical disabilities

1 resulting therefrom, affecting the public health. Orders  
2 imposed under this paragraph that require the closure of  
3 public or private buildings, facilities or other places or  
4 limit or forbid gatherings are subject to the limitations  
5 imposed by W.S. 35-1-245;

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7 (iii) To establish, maintain and enforce  
8 isolation and quarantine of persons reasonably believed to  
9 be or known to be infected with a contagious disease, and  
10 in pursuance thereof, and for such purpose only, to  
11 exercise such physical control over property and over the  
12 persons ~~of the people~~ within this state as the state health  
13 officer may find necessary for the protection of the public  
14 health;

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16 (iv) To close theaters, schools and other public  
17 places, and to forbid gatherings of people when necessary  
18 to protect the public health. Orders imposed under this  
19 paragraph are subject to the limitations imposed by W.S.  
20 35-1-245;

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22 **35-4-103. Investigation of diseases; quarantine;**  
23 **regulation of travel; employment of police officers to**

1 **enforce quarantine; report of county health officer;**  
2 **supplies and expenses.**

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4 The department of health shall, immediately after the  
5 receipt of information that there is any smallpox, cholera,  
6 scarlet fever, diphtheria or other infectious or contagious  
7 disease, which is a menace to the public health, in any  
8 portion of this state, order the county health officer to  
9 immediately investigate the case and report to the state  
10 health officer the results of the investigation. The state  
11 health officer shall, subject to W.S. 35-4-112 and if in  
12 his judgment the occasion requires, direct the county  
13 health officer to declare the infected place to be in  
14 quarantine. The county health officer shall place any  
15 restrictions upon ingress and egress at this location as in  
16 his judgment or in the judgment of the state health officer  
17 are necessary to prevent the spread of the disease from the  
18 infected locality. The county health officer shall upon  
19 declaring any city, town or other place to be in  
20 quarantine, control the population of the city, town or  
21 other place as in his judgment best protects the people and  
22 at the same time prevents the spread of the disease. If  
23 necessary for the protection of the public health and

1 subject to W.S. 35-4-112, the state health officer shall  
2 establish and maintain a state quarantine and shall enforce  
3 practical regulations regarding railroads or other lines of  
4 travel into and out of the state of Wyoming as necessary  
5 for the protection of the public health. The expenses  
6 incurred in maintaining the state quarantine shall be paid  
7 out of the funds of the state treasury appropriated for  
8 this purpose and in the manner in which other expenses of  
9 the department are audited and paid. The county health  
10 officer or the department may employ a sufficient number of  
11 police officers who shall be under the control of the  
12 county health officer, to enforce and carry out any  
13 quarantine regulations the department may prescribe. The  
14 regulations shall be made public in the most practicable  
15 manner in the several counties, cities, towns or other  
16 places where the quarantine is established. If the  
17 quarantine is established by the county health officer, he  
18 shall immediately report his actions to the state health  
19 officer. The county health officer shall furnish all  
20 supplies and other resources necessary for maintaining the  
21 quarantine. Upon certificate of the county health officer  
22 approved by the director of the state department of health,  
23 the county commissioners of any county where a quarantine

1 has been established shall issue warrants to the proper  
2 parties for the payment of all expenses, together with the  
3 expense of employing sufficient police force, to maintain  
4 and enforce the quarantine. Any order imposed under this  
5 section that requires the closure of public or private  
6 buildings, facilities or other places or limits or forbids  
7 gatherings is subject to the limitations imposed by W.S.  
8 35-1-245. For purposes of this act, "state health officer"  
9 means as defined in W.S. 9-2-103(e).

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11 **35-4-112. Right of appeal of quarantine.**

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13 (c) In the event of a public health emergency of  
14 unknown effect, the state health officer may impose a  
15 temporary quarantine until there is sufficient information  
16 to determine what actions, if any, are reasonably needed to  
17 protect the public health. Any order imposed under this  
18 paragraph is subject to the limitations imposed by W.S.  
19 35-1-245.

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21 **35-4-115. Definitions.**

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23 (a) As used in this article:

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(ii) "Quarantine" means:

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**Section 3.** W.S. 35-4-115(a)(ii)(C) is repealed.

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**Section 4.** This act shall only apply to public health orders issued on or after the effective date of this act. No public health order issued before the effective date of this act shall be subject to this act during any period for which the public health order is effective.



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2           **Section 5.** This act is effective immediately upon  
3 completion of all acts necessary for a bill to become law  
4 as provided by Article 4, Section 8 of the Wyoming  
5 Constitution.

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(END)