

HOUSE BILL NO. HB0094

Parental rights.

Sponsored by: Representative(s) Jennings, Allen, Berger, Blackburn, Clem, Edmonds, Edwards, Gay, Halverson, Jaggi, Kroeker, Lindholm, Miller, Piiparinen, Steinmetz and Winters and Senator(s) Christensen, Dockstader and Meier

A BILL

for

1 AN ACT relating to parents; providing for a parental right
2 to direct the upbringing, education and care of a child;
3 providing applicability as specified; and providing for an
4 effective date.

5

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

7

8 **Section 1.** W.S. 14-2-206 is created to read:

9

10 **14-2-206. Protection of parental rights.**

11

12 (a) The liberty of a parent to direct the upbringing,
13 education and care of the parent's child is a fundamental
14 right.

1

2 (b) The state, or any agency or locality of the
3 state, shall not infringe the parental right as provided
4 under this section without demonstrating that the interest
5 of the government as applied to the parent or child is a
6 compelling state interest addressed by the least
7 restrictive means.

8

9 (c) This section shall apply to any state or local
10 law or ordinance and its implementation whether that law or
11 ordinance was adopted prior to or after the effective date
12 of this section. Any statute affecting the right of a
13 parent to direct the upbringing, education and care of the
14 parent's child adopted after the effective date of this
15 section is subject to the strict scrutiny standard
16 articulated by the United States supreme court, including
17 requiring that the statute furthers a compelling state
18 interest and is narrowly tailored to achieve that interest
19 by the least restrictive means available.

20

21 (d) Nothing in this section shall be deemed to apply
22 to a parent whose parental rights have been judicially
23 terminated.

1

2 **Section 2.** This act is effective July 1, 2015.

3

4

(END)