

## HOUSE BILL NO. HB0154

Religious Freedom Restoration Act.

Sponsored by: Representative(s) Romero-Martinez and  
Senator(s) Hutchings

A BILL

for

1 AN ACT relating to religious freedom; creating the  
2 Religious Freedom Restoration Act; providing definitions;  
3 limiting specified governmental actions that burden  
4 religious freedom or acts of moral conscience as specified;  
5 authorizing claims and defenses against governmental action  
6 that burden religious freedom as specified; providing  
7 exceptions; and providing for an effective date.

8

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

10

11 **Section 1.** W.S. 9-25-101 through 9-25-105 are created  
12 to read:

13

14

ARTICLE 2

15

RELIGIOUS FREEDOM RESTORATION ACT

1

2           **9-25-101. Religious Freedom Restoration Act; short**  
3 **title.**

4

5 This act shall be known and may be cited as the "Wyoming  
6 Religious Freedom Restoration Act."

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8           **9-25-102. Definitions.**

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10           (a) As used in this act:

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12                   (i) "Burden" means any action that intentionally  
13 either directly or indirectly constrains, inhibits,  
14 curtails or denies the exercise of religion or moral  
15 conscience by any person where the action is intended for  
16 that purpose, including, but not limited to:

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18                           (A) Withholding of benefits;

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20                           (B) Assessing criminal, civil or  
21 administrative penalties;

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1 (C) Exclusion from governmental programs;

2 or

3

4 (D) Denial of access to governmental  
5 facilities.

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7 (ii) "Exercise of moral conscience" means an  
8 individual exercise of judgment whereby the person  
9 recognizes the moral or ethical quality of an act and is  
10 compelled to:

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12 (A) Perform the act because it is an act of  
13 good will or faith; or

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15 (B) Avoid performing the act because the  
16 person believes the act to be evil or wrong.

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18 (iii) "Exercise of religion" means the practice  
19 or observance of religion, including an act or refusal to  
20 act, that is substantially motivated by a sincerely held  
21 religious belief, whether or not compelled by or central to  
22 a system of religious belief;

23

1           (iv) "Government" means any department, agency,  
2 division, board, bureau, commission, council, authority,  
3 employee, official or other entity of this state or a  
4 political subdivision of this state, or a person acting  
5 under color of state law;

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7           (v) "This act" means W.S. 9-25-201 through  
8 9-25-205.

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10           **9-25-103. Limitation on government action; exception.**

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12           (a) Except as provided in subsection (b) of this  
13 section, government action, including action by anyone  
14 acting under color of state law, shall not unnecessarily  
15 burden a person's right to the exercise of religion or  
16 moral conscience.

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18           (b) Government may substantially burden a person's  
19 right to the exercise of religion or moral conscience only  
20 if it demonstrates that application of the burden to that  
21 person's exercise of religion or moral conscience in that  
22 particular instance is:

23

1           (i) Essential to further a compelling government  
2 interest; and

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4           (ii) The least restrictive means of furthering  
5 that compelling governmental interest.

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7           (c) Nothing in this act shall be construed to  
8 authorize a government employee or official from refusing  
9 to perform any of the duties or responsibilities which are  
10 required of that person's position or office, regardless of  
11 the person's religious or moral objections.

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13           **9-25-104. Claims and defenses.**

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15 A person whose exercise of religion or moral conscience has  
16 been burdened in violation of this act may have a claim in  
17 a court of competent jurisdiction and may obtain  
18 appropriate relief.

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20           **9-25-105. Provisions to be liberally construed.**

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22 Nothing in this act shall be construed to authorize acts of  
23 licentiousness or practices inconsistent with the peace or

1 safety of the state or its laws which protect the health  
2 and safety of the public.

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4 **Section 2.** This act is effective July 1, 2022.

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6

(END)