

HOUSE BILL NO. HB1008

Immunization status.

Sponsored by: Representative(s) Fortner and Senator(s)
McKeown

A BILL

for

1 AN ACT relating to vaccinations and immunizations;
2 prohibiting discrimination based on vaccination or
3 immunization status as specified; prohibiting an employer
4 from requiring an employee to be vaccinated; repealing
5 public health vaccination requirements as specified;
6 prohibiting the department of health from requiring student
7 COVID-19 vaccinations to attend public school; and
8 providing for an effective date.

9

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

11

12 **Section 1.** W.S. 35-4-140 is created to read:

13

14 **35-4-140. Prohibition of discrimination based on**
15 **vaccination or immunization status.**

1

2 (a) Except as otherwise provided in subsection (c) of
3 this section, no person shall restrict another person's
4 access to a building or other area otherwise open to the
5 public in this state or restrict access to a service
6 provided in this state based on the individual's
7 vaccination or immunization status against any disease.

8

9 (b) Except as otherwise provided in subsection (c) of
10 this section, no person shall require another person to
11 prove vaccination or immunization status against a disease
12 to access a building or other area otherwise open to the
13 public in this state or receive a service provided in this
14 state.

15

16 (c) This section shall not apply to mandatory
17 immunizations for children attending school as required by
18 W.S. 21-4-309 or mandatory immunizations for children
19 attending child care facilities as required by W.S.
20 14-4-116.

21

1 (d) As used in this section, "Service" means any
2 offering to the public of goods or services provided for
3 payment, compensation or remuneration.

4

5 **Section 2.** W.S. 27-9-105(a) by creating a new
6 paragraph (v), 27-11-113, 35-1-201, 35-1-240 by creating a
7 new subsection (d) and 35-4-113(a) are amended to read:

8

9 **27-9-105. Discriminatory and unfair employment**
10 **practices enumerated; limitations.**

11

12 (a) It is a discriminatory or unfair employment
13 practice:

14

15 (v) For an employer to require as a condition of
16 employment that any person be immunized from any disease.

17

18 **27-11-113. Physical examination of employees;**
19 **religious exemption.**

20

21 Any employer may require an employee to submit to a
22 physical examination before employment or at any time
23 during employment, and shall provide for a physical

1 examination, as deemed necessary, due to exposure or
2 contact with hazards or environmental conditions which may
3 be detrimental to the health of the employee. Nothing in
4 this section or any other provision of this act shall be
5 deemed to authorize or require medical examination,
6 immunization or treatment for those who object thereto on
7 religious grounds, except where such is necessary for the
8 protection of the health or safety of others. The results
9 of such examinations shall be furnished only to the
10 department, the employer and, upon request, to the employee
11 and the employee's physician. The employer shall pay for
12 such examination. Nothing in this section or any other
13 provision of this act shall be deemed to authorize or
14 require any immunization for those who object thereto.

15

16 **35-1-201. Exceptions with reference to religion.**

17

18 ~~Except as provided in W.S. 35-4-113,~~ With respect to all
19 persons who, either on behalf of themselves or their minor
20 children or wards, rely in good faith upon spiritual means
21 or prayer in the free exercise of religion to prevent or
22 cure disease, nothing in this act shall have the effect of
23 requiring or giving any health officer or other person the

1 right to compel any such person, minor child or ward, to go
2 or be confined in a hospital, or other medical institution
3 unless no other place for quarantine of such person, minor
4 child, or ward can be secured, nor to compel any such
5 person, child, or ward to submit to any medical treatment.

6

7 **35-1-240. Powers and duties.**

8

9 (d) The department of health, through the state
10 health officer or otherwise, shall not require vaccination
11 or messenger ribonucleic acid (mRNA) shots designed for use
12 against COVID-19, as defined in W.S. 1-1-141, as part of
13 any vaccination requirements in W.S. 14-4-116 or W.S.
14 21-4-309.

15

16 **35-4-113. Treatment when consent is not available;**
17 **quarantine.**

18

19 (a) Except as provided by ~~subsection (b) of this~~
20 ~~section,~~ W.S. 14-4-116 and 21-4-309, the state health
21 officer shall not subject any person to any vaccination or
22 medical treatment without the consent of the person.

23

1 **Section 3.** W.S. 35-4-106 and 35-4-113(b) and (c) are
2 repealed.

3

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

8

9

(END)