

HOUSE BILL NO. HB0230

Enhancing quality employment law.

Sponsored by: Representative(s) Zwonitzer, Burlingame and
Lindholm and Senator(s) Perkins and Rothfuss

A BILL

for

1 AN ACT relating to discrimination; prohibiting discriminatory
2 practices based on sexual orientation or gender identity in
3 employment practices; providing an exception for expressive
4 associations; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 9-2-1022(a)(v), 21-7-302, 27-9-102 by
9 creating a new subsection (e) and 27-9-105(a)(i), (ii) and by
10 creating a new subsection (e) are amended to read:

11

12 **9-2-1022. Duties of department performed through human**
13 **resources division.**

14

1 (a) Subject to subsection (b) of this section, the
2 department through the human resources division shall:

3
4 (v) Maintain a register of applications made by
5 all persons seeking employment with an agency. Each
6 application shall be rated on the basis of suitability and
7 qualifications without regard to political affiliation, race,
8 color, sex, gender identity, sexual orientation, creed or
9 age;

10
11 **21-7-302. Discrimination in compensation prohibited.**

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13 No discrimination in the amount of compensation for the
14 teachers in the public schools of this state shall be made on
15 account of sex, gender identity, sexual orientation, race or
16 religious belief.

17
18 **27-9-102. Definitions.**

19
20 (e) As used in this article, "expressive association"
21 shall mean an association:

22

1 (i) Whose primary purpose and function are
2 grounded in religious teachings;

3
4 (ii) Which is not organized for private profit;

5
6 (iii) Whose employment activities would otherwise
7 be subject to this article; and

8
9 (iv) Whose right of expressive association under
10 the first amendment to the United States constitution would
11 be significantly burdened by application of this article or
12 by any other provisions of law related to discrimination in
13 employment.

14
15 **27-9-105. Discriminatory and unfair employment**
16 **practices enumerated; limitations.**

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18 (a) It is a discriminatory or unfair employment
19 practice:

20
21 (i) For an employer to refuse to hire, to
22 discharge, to promote or demote, or to discriminate in matters
23 of compensation or the terms, conditions or privileges of

1 employment against, a qualified disabled person or any person
2 otherwise qualified, because of age, sex, gender identity,
3 sexual orientation, race, creed, color, national origin,
4 ancestry or pregnancy;

5

6 (ii) For a person, an employment agency, a labor
7 organization, or its employees or members, to discriminate in
8 matters of employment or membership against any person,
9 otherwise qualified, because of age, sex, gender identity,
10 sexual orientation, race, creed, color, national origin,
11 ancestry or pregnancy, or a qualified disabled person;

12

13 (e) Expressive associations shall be exempt under this
14 article from employment practices relating to sexual
15 orientation and gender identity.

16

17 **Section 2.** Nothing in this act shall be construed to
18 limit or restrict in any way any person's protections
19 guaranteeing the free exercise of religion under the first
20 amendment to the United States constitution or article 1,
21 section 18 of the Wyoming constitution.

22

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

4

5

(END)