

HOUSE BILL NO. HB0183

Anti-discrimination updates.

Sponsored by: Representative(s) Connolly and Sweeney and
Senator(s) Rothfuss

A BILL

for

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

7

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

9

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

13

14 **9-2-1022. Duties of department performed through**
15 **human resources division.**

1

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

4

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

11

12 **21-7-302. Discrimination in compensation prohibited.**

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

18

19 **27-9-102. Definitions.**

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21 (e) As used in this article, "expressive association"
22 means an association:

23

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
7 otherwise 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
23 matters of compensation or the terms, conditions or

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

5

6 (ii) For a person, an employment agency, a labor
7 organization, or its employees or members, to discriminate
8 in 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
14 this article from the regulation of employment practices
15 relating to sexual 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
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

5

6

(END)