

HOUSE BILL NO. HB0174

Paid family and medical leave.

Sponsored by: Representative(s) Sherwood, Brown and Western
and Senator(s) Barlow and Rothfuss

A BILL

for

1 AN ACT relating to labor and employment; implementing
2 voluntary paid family and medical leave insurance for
3 Wyoming employees as specified; specifying qualifying
4 events; providing a timeline for implementation; requiring
5 the selection of an insurance carrier; requiring
6 rulemaking; and providing for effective dates.

7

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

9

10 **Section 1.** W.S. 27-16-101 through 27-16-103 are
11 created to read:

12

13

CHAPTER 16

14

WYOMING VOLUNTARY PAID FAMILY AND MEDICAL

15

LEAVE INSURANCE ACT

1

2 **27-16-101. Short title.**

3

4 This act shall be known and may be cited as the "Wyoming
5 Voluntary Paid Family and Medical Leave Insurance Act."

6

7 **27-16-102. Selection of an insurance carrier.**

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9 On or before January 1, 2025, the department of workforce
10 services shall select an insurance carrier to provide
11 voluntary paid family and medical leave insurance to
12 Wyoming employees. The insurance program shall be overseen
13 by the department of workforce services, in consultation
14 with the department administration and information's
15 employees' group insurance program, and implemented by the
16 insurance carrier. Implementation of the program by the
17 insurance carrier may include the collection of premiums.

18

19 **27-16-103. Wyoming voluntary paid family and medical
20 leave insurance.**

21

22 (a) Wyoming voluntary paid family and medical leave
23 insurance shall provide covered employees not less than

1 sixty percent (60%) wage replacement for twelve (12) weeks
2 in a twelve (12) month period. Wages, for the purpose of
3 calculating benefits, shall be capped at the social
4 security base benefit limit.

5

6 (b) Events that qualify for voluntary paid family and
7 medical leave insurance include:

8

9 (i) Birth, adoption or foster care placement of
10 a child and care for a child within one (1) year after
11 birth;

12

13 (ii) Care for a family member with a serious
14 health condition, including a spouse, parent, child, foster
15 child or ward living with a covered employee;

16

17 (iii) A covered employee's serious health
18 condition as defined by the Family and Medical Leave Act of
19 1993;

20

21 (iv) A qualifying exigency related to active
22 military duty, as determined by rules of the department of

1 workforce services and the department of administration and
2 information;

3

4 (v) Any event covered by the federal family and
5 medical leave act.

6

7 (c) The voluntary paid family and medical leave
8 insurance program shall be implemented in three (3) phases:

9

10 (i) Not later than March 1, 2025, all state
11 employees as defined by W.S. 9-3-203(a)(iv) shall be
12 offered voluntary paid family and medical leave insurance
13 at a rate determined by the insurance carrier selected by
14 the department of workforce services. Elected officials,
15 employees or officials whose salaries are set in statute
16 and federal employees shall not be offered voluntary paid
17 family and medical leave insurance under this act;

18

19 (ii) Not later than March 1, 2026, private
20 Wyoming employers with two (2) or more employees may
21 choose, but are not required, to offer voluntary paid
22 family and medical leave insurance to their employees at a

1 rate determined by the insurance carrier selected by the
2 department of workforce services;

3

4 (iii) Not later than March 1, 2027, persons who
5 work for private Wyoming employers that do not offer
6 voluntary family and medical leave insurance, self-employed
7 persons and private employers with not more than one (1)
8 employee may purchase coverage through an individual
9 purchasing pool offered by an insurance carrier at a rate
10 determined by the insurance carrier selected by the
11 department of workforce services.

12

13 (d) Employers shall be given the option to pay
14 voluntary family and medical leave insurance premiums for
15 their employees. Employers shall not be required to pay
16 premiums. Premium payments for voluntary family medical
17 leave insurance shall be pre-tax to the extent allowable
18 under state and federal tax law.

19

20 (e) For medical leave, there shall be a seven (7) day
21 waiting period and claims shall be paid beginning on day
22 eight (8). For family leave, claims shall be paid beginning
23 on the first fully scheduled workday of leave.

1

2 **Section 2.** Before October 1, 2024, the department of
3 workforce services, in consultation with the department of
4 administration and information's employees' group health
5 insurance program, shall report to the joint labor, health
6 and social services interim committee on the progress of
7 the voluntary paid family and medical leave insurance
8 program and on the need for any additional statutory
9 changes regarding the implementation of this act.

10

11 **Section 3.** The department of workforce services and
12 the department of administration and information's
13 employees' group insurance program shall promulgate all
14 rules necessary to implement this act.

15

1 **Section 4.**

2

3 (a) Except as otherwise provided by subsection (b) of
4 this section, this act is effective July 1, 2024.

5

6 (b) Sections 3 and 4 of this act are effective
7 immediately upon completion of all acts necessary for a
8 bill to become law as provided by Article 4, Section 8 of
9 the Wyoming Constitution.

10

11

(END)