

HOUSE BILL NO. HB0324

State elected officials-employees at will and regulations.

Sponsored by: Representative(s) Andrew and Neiman and
Senator(s) Boner, Driskill, Kolb, Smith, D
and Steinmetz

A BILL

for

1 AN ACT relating to state officers; specifying that
2 employees of specified state officials are at-will
3 employees; exempting employees of specified state officials
4 from executive branch policies and plans; authorizing human
5 resource officer positions; providing definitions;
6 providing for the transfer of funds and positions;
7 specifying applicability; and providing for an effective
8 date.

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

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12 **Section 1.** W.S. 9-1-104 is created to read:

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14 **9-1-104. Employees of state officials; at-will**
15 **employment; rules applicability.**

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2 (a) As used in this section, "state official" means
3 the secretary of state, the state auditor, the state
4 treasurer and the superintendent of public instruction.

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6 (b) Except as otherwise provided in this section, the
7 following shall apply to each employee of each state
8 official:

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10 (i) Each employee shall be an at-will employee;

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12 (ii) Each employee is hired by the applicable
13 state official and serve at the pleasure of the state
14 official;

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16 (iii) The employing state official retains the
17 absolute right to terminate any employee of the state
18 official at any time, with or without cause, except for a
19 cause that violates applicable federal or state law;

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21 (iv) Employees of state officials are subject
22 only to the policies, manuals, rules and statutory
23 provisions governing employees of the state official.

1 Employees of state officials are specifically exempt from
2 the laws and personnel rules relating to employees of the
3 executive branch, including the executive branch
4 compensation plan, job classifications and personnel rules
5 governing employee discipline, grievances and appeals.
6 Nothing in this paragraph shall be construed to supersede a
7 statute that expressly prescribes the employment conditions
8 and salaries of specified employees of state officials.

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10 (c) The state officials shall be assisted by human
11 resource officers. The human resources officers authorized
12 under this section shall be hired by a committee comprised
13 of the state officials or their designees and housed within
14 the office of the state auditor. The state auditor shall
15 ensure that the human resources and payroll activities
16 necessary for each state official are conducted promptly at
17 their direction and in accordance with applicable state and
18 federal law. A human resource officer employed under this
19 section shall keep all matters within a state official's
20 office confidential as required by policies of the state
21 official.

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23 (d) Nothing in this section shall be construed to:

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2 (i) Alter or impair any employment contract
3 entered into before July 1, 2025;

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5 (ii) Make any employee of an state official an
6 at-will employment contract employee, unless a contract or
7 agreement expressly provides that the employee is hired for
8 an at-will employment contract position.

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10 **Section 2.** Nothing in this act shall be construed to
11 alter, amend or impair any agreement or contract entered
12 into before July 1, 2025.

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14 **Section 3.** From existing appropriations and from
15 existing employee positions authorized by the legislature,
16 the state auditor shall transfer two hundred thirty-six
17 thousand seven hundred twenty dollars (\$236,720.00) and two
18 (2) full-time legislatively authorized employee positions
19 from the department of administration and information to
20 the state auditor's office on the effective date of this
21 act. This appropriation and these positions are for
22 purposes of hiring the human resource officers specified in
23 W.S. 9-1-104(c), as created by this act, for the four (4)

1 state officials. It is the intent of the legislature that
2 this appropriation be doubled and included in the state
3 auditor's standard budget for the immediately succeeding
4 fiscal biennium.

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6 **Section 4.** This act is effective July 1, 2025.

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(END)