

## HOUSE BILL NO. HB0152

Student hazing.

Sponsored by: Representative(s) Stith and Western and  
Senator(s) Anselmi-Dalton

A BILL

for

1 AN ACT relating to crimes and offenses; creating the crime  
2 of hazing; creating penalties; defining terms; requiring  
3 school districts and postsecondary institutions to publish  
4 and distribute hazing information to students; and  
5 providing for an effective date.

6

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

8

9 **Section 1.** W.S. 6-2-512 and 21-25-101 are created to  
10 read:

11

12 **6-2-512. Hazing.**

13

14 (a) As used in this section, "hazing" means any  
15 conduct or method of initiation into any student

1 organization, club, association, fraternity or sorority  
2 which is part of the institution or is recognized by the  
3 institution or permitted by the institution to use its name  
4 or facilities, whether on public or private property, that  
5 willfully or recklessly endangers the physical or mental  
6 health of any student or other person. Hazing includes  
7 whipping, beating, branding, exposure to the weather,  
8 forced consumption of any food, liquor, beverage, drug or  
9 other substance, or any brutal treatment or forced physical  
10 activity which is likely to adversely affect the physical  
11 health or safety of the student or other person, or which  
12 subjects the student or other person to extreme mental  
13 distress, including extended deprivation of sleep or rest  
14 or extended isolation. Hazing does not include strength  
15 conditioning or other athletic training related to a bona  
16 fide activity.

17

18 (b) A person is guilty of hazing if the person  
19 intentionally commits or is actively involved in the  
20 planning of any act of hazing that results in bodily injury  
21 or mental injury.

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1           (c) Except as provided under subsection (d) of this  
2 section, hazing is a misdemeanor punishable by imprisonment  
3 for not more than six (6) months, a fine of not more than  
4 seven hundred fifty dollars (\$750.00), or both.

5  
6           (d) A person convicted of hazing under subsection (b)  
7 of this section is guilty of a felony punishable by  
8 imprisonment for not more than five (5) years, a fine of  
9 not more than ten thousand dollars (\$10,000.00), or both if  
10 the act results in serious bodily injury or death to  
11 another person.

12  
13           (e) Notwithstanding any other provisions of law,  
14 consent shall not be available as a defense to any  
15 prosecution under this section.

16  
17           (f) As used in this section:

18  
19               (i) "Institution" means a public or private high  
20 school, community college or university;

21  
22               (ii) "Mental injury" means an injury to the  
23 psychological capacity or emotional stability of a child as

1 evidenced by an observable or substantial impairment in his  
2 ability to function within a normal range of performance  
3 and behavior with due regard to his culture.

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## ARTICLE 2

6

## HAZING PREVENTION

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8

**21-25-101. Hazing prohibition notification.**

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10 (a) The board of trustees or governing body of each  
11 institution of secondary education and board of trustees or  
12 governing body of each public and private institution of  
13 postsecondary education shall issue to every student  
14 organization, club, association, fraternity and sorority  
15 and student a copy of W.S. 6-2-512. An institution's  
16 compliance with this subsection shall not constitute  
17 evidence of the institution's endorsement of the student  
18 organization, club, association, fraternity or sorority.

19

20 (b) Each student organization, club, association,  
21 fraternity and sorority provided a copy of W.S. 6-2-512 as  
22 set forth in subsection (a) of this section shall  
23 distribute a copy to each of its members and applicants for

1 membership. It shall be the duty of each student  
2 organization, club, association, fraternity and sorority to  
3 provide a written acknowledgement to the institution's  
4 board of trustees or governing body stating that the  
5 student organization, club, association, fraternity and  
6 sorority has received a copy of W.S. 6-2-512, that each of  
7 its members and applicants for membership have received a  
8 copy of W.S. 6-2-512 and that the members of the  
9 organization, club, association, fraternity and sorority  
10 understand and agree not to commit acts of hazing and to  
11 follow any anti-hazing policies of the institution.

12

13 **Section 2.** This act is effective July 1, 2020.

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(END)