Immunization status.

Sponsored by: Representative(s) Fortner and Senator(s) McKeown

A BILL

for

AN ACT relating to vaccinations and immunizations; prohibiting discrimination based on vaccination or immunization status as specified; prohibiting an employer from requiring an employee to be vaccinated; repealing public health vaccination requirements as specified; prohibiting the department of health from requiring student COVID-19 vaccinations to attend public school; and providing for an effective date.

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

Section 1. W.S. 35-4-140 is created to read:

35-4-140. Prohibition of discrimination based on vaccination or immunization status.
(a) Except as otherwise provided in subsection (c) of this section, no person shall restrict another person's access to a building or other area otherwise open to the public in this state or restrict access to a service provided in this state based on the individual's vaccination or immunization status against any disease.

(b) Except as otherwise provided in subsection (c) of this section, no person shall require another person to prove vaccination or immunization status against a disease to access a building or other area otherwise open to the public in this state or receive a service provided in this state.

(c) This section shall not apply to mandatory immunizations for children attending school as required by W.S. 21-4-309 or mandatory immunizations for children attending child care facilities as required by W.S. 14-4-116.
(d) As used in this section, "Service" means any offering to the public of goods or services provided for payment, compensation or remuneration.

Section 2. W.S. 27-9-105(a) by creating a new paragraph (v), 27-11-113, 35-1-201, 35-1-240 by creating a new subsection (d) and 35-4-113(a) are amended to read:

27-9-105. Discriminatory and unfair employment practices enumerated; limitations.

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

(v) For an employer to require as a condition of employment that any person be immunized from any disease.

27-11-113. Physical examination of employees; religious exemption.

Any employer may require an employee to submit to a physical examination before employment or at any time during employment, and shall provide for a physical
examination, as deemed necessary, due to exposure or contact with hazards or environmental conditions which may be detrimental to the health of the employee. Nothing in this section or any other provision of this act shall be deemed to authorize or require medical examination, immunization or treatment for those who object thereto on religious grounds, except where such is necessary for the protection of the health or safety of others. The results of such examinations shall be furnished only to the department, the employer and, upon request, to the employee and the employee's physician. The employer shall pay for such examination. Nothing in this section or any other provision of this act shall be deemed to authorize or require any immunization for those who object thereto.

35-1-201. Exceptions with reference to religion. Except as provided in W.S. 35-4-113, with respect to all persons who, either on behalf of themselves or their minor children or wards, rely in good faith upon spiritual means or prayer in the free exercise of religion to prevent or cure disease, nothing in this act shall have the effect of requiring or giving any health officer or other person the
right to compel any such person, minor child or ward, to go or be confined in a hospital, or other medical institution unless no other place for quarantine of such person, minor child, or ward can be secured, nor to compel any such person, child, or ward to submit to any medical treatment.

35-1-240. Powers and duties.

(d) The department of health, through the state health officer or otherwise, shall not require vaccination or messenger ribonucleic acid (mRNA) shots designed for use against COVID-19, as defined in W.S. 1-1-141, as part of any vaccination requirements in W.S. 14-4-116 or W.S. 21-4-309.

35-4-113. Treatment when consent is not available; quarantine.

(a) Except as provided by subsection (b) of this section, W.S. 14-4-116 and 21-4-309, the state health officer shall not subject any person to any vaccination or medical treatment without the consent of the person.
Section 3. W.S. 35-4-106 and 35-4-113(b) and (c) are repealed.

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

(END)