COVID-19—prohibiting coercion.

Sponsored by: Senator(s) Biteman, Hutchings, Salazar and Steinmetz and Representative(s) Bear, Haroldson, Jennings, Neiman and Rodriguez-Williams

A BILL

for

AN ACT relating to crimes and offenses; amending the elements of the crime of blackmail as specified; prohibiting coercion or intimidation in employment due to an employee's COVID-19 vaccination status; providing remedies; and providing for an effective date.

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

Section 1. W.S. 27-1-117 is created to read:

27-1-117. Prohibiting blackmail and coercion based on COVID-19 vaccination status in employment; remedies.

(a) As used in this section:
(i) "COVID-19" means as defined by W.S. 1-1-141(a)(ii);

(ii) "COVID-19 immunity passport" means a document, digital record or software application that evidences that a person has received a COVID-19 vaccination or that a person has recovered from an active COVID-19 infection;

(iii) "COVID-19 vaccination" means any vaccine that is marketed to prevent COVID-19 or any vaccine that is marketed to diminish or decrease the symptoms of COVID-19;

(iv) "COVID-19 vaccination status" means evidence of whether a person has received one (1) or more doses of a COVID-19 vaccine and shall include a COVID-19 immunity passport.

(b) No person shall discharge, threaten to discharge, intimidate, blackmail or coerce any employee by reason of the employee's COVID-19 vaccination status.
(c) Any person who violates subsection (b) of this section:

(i) May be enjoined from further violations of subsection (b) of this section in order to provide other appropriate relief, including but not limited to reinstatement of the employee;

(ii) Is liable for exemplary damages to the employee in an amount set by the court, but not to exceed forty thousand dollars ($40,000.00) for each violation as to each employee; and

(iii) Is liable for the employee's reasonable costs and attorney fees, as set by the court, for enforcing his rights under this section.

Section 2. W.S. 6-2-402 by creating a new subsection (f) is amended to read:

6-2-402. Blackmail; aggravated blackmail; penalties.
(f) A person commits blackmail if, with the intent to compel another person to receive a COVID-19 vaccination, the person threatens the livelihood, immediate or future employment or educational opportunities of the person. As used in this subsection, "COVID-19 vaccination" means any vaccine that is marketed to prevent COVID-19 or any vaccine that is marketed to diminish or decrease the symptoms of COVID-19.

Section 3. 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.