

HOUSE BILL NO. HB0262

Wyoming Religious Freedom Restoration Act.

Sponsored by: Representative(s) Washut, Burkhart, Crago,
Harshman and Olsen and Senator(s) Biteman,
Hutchings, Kolb and Salazar

A BILL

for

1 AN ACT relating to religious freedom; creating the
2 Religious Freedom Restoration Act; providing definitions;
3 limiting specified governmental actions that burden
4 religious freedom as specified; authorizing claims and
5 defenses against governmental action that burden religious
6 freedom as specified; providing exceptions; and providing
7 for an effective date.

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

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11 **Section 1.** W.S. 9-25-101 through 9-25-105 are created
12 to read:

13

14

CHAPTER 25

15

RELIGIOUS FREEDOM

1

2

ARTICLE 1

3

RELIGIOUS FREEDOM RESTORATION ACT

4

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9-25-101. Religious Freedom Restoration Act; short

6

title.

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This act shall be known and may be cited as the "Wyoming

9

Religious Freedom Restoration Act."

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9-25-102. Definitions.

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(a) As used in this act:

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(i) "Burden" means any action that intentionally

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either directly or indirectly constrains, inhibits,

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curtails or denies the exercise of religion by government

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action, including any person acting under the color of

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state law where the action is intended for that purpose,

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including, but not limited to:

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(A) Withholding of benefits;

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1 (B) Assessing criminal, civil or
2 administrative penalties;

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4 (C) Exclusion from governmental programs;
5 or

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7 (D) Denial of access to governmental
8 facilities.

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10 (ii) "Exercise of religion" means the practice
11 or observance of religion, including an act or refusal to
12 act, that is substantially motivated by a sincerely held
13 religious belief, whether or not compelled by or central to
14 a system of religious belief;

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16 (iii) "Government" means any department, agency,
17 division, board, bureau, commission, council, authority,
18 employee, official or other entity of this state or a
19 political subdivision of this state, or a person acting
20 under color of state law;

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1 (iv) "Person" means any natural person,
2 association, partnership, corporation, religious
3 institution or other legal entity;

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5 (v) "This act" means W.S. 9-25-201 through
6 9-25-205.

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8 **9-25-103. Limitation on government action; exception.**

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10 (a) Except as provided in subsection (b) of this
11 section, government action, including action by any person
12 acting under color of state law, shall not:

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14 (i) Burden a person's right to the exercise of
15 religion even if the burden results from a rule of general
16 applicability;

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18 (ii) Burden a person's right to the exercise of
19 religion more restrictively than comparable secular conduct
20 because of any economic need or benefit;

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1 (iii) Burden a person's right to the exercise of
2 religion more restrictively than any secular conduct of
3 reasonably comparable risk.

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5 (b) Government may substantially burden a person's
6 right to the exercise of religion only if it demonstrates
7 that application of the burden to that person's exercise of
8 religion in that particular instance is:

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10 (i) Essential to further a compelling government
11 interest; and

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13 (ii) The least restrictive means of furthering
14 that compelling governmental interest.

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16 **9-25-104. Claims.**

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18 A person whose exercise of religion has been burdened in
19 violation of this act may have a claim in a court of
20 competent jurisdiction and may obtain appropriate relief.

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22 **9-25-105. Provisions to be liberally construed.**

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1 Nothing in this act shall be construed to authorize acts of
2 licentiousness or practices inconsistent with the peace or
3 safety of the state or its laws which protect the health
4 and safety of the public.

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6 **Section 2.** This act is effective July 1, 2023.

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8

(END)