

ENROLLED ACT NO. 61, SENATE

SIXTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2025 GENERAL SESSION

AN ACT relating to the administration of the government; generally prohibiting diversity, equity and inclusion efforts and mandates by state agencies and public educational institutions; conditioning the expenditure of appropriated funds as specified; specifying applicability; providing an appropriation; and providing for an effective date.

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

Section 1. W.S. 9-2-1014.4 and 21-16-2001 are created to read:

9-2-1014.4. Funds and expenditures for diversity, equity and inclusion efforts prohibited.

(a) As used in this section:

(i) "Diversity, equity and inclusion" includes any of the following:

(A) Influencing hiring or employment practices with respect to race, sex, color or ethnicity, other than through the use of race and gender neutral practices in accordance with any applicable state and federal law;

(B) Promoting differential treatment of or providing special benefits to persons on the basis of race, color or ethnicity;

(C) Promoting policies or procedures designed or implemented to promote differential treatment or special benefits based on race, color or ethnicity,

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except for policies or procedures necessary to comply with any state law, federal law or applicable court order;

(D) Conducting trainings, programs or activities designed or implemented to promote differential treatment or special benefits for persons based on race, color, ethnicity or gender dysphoria, except for trainings, programs or activities that are for the sole purpose of ensuring compliance with state law, federal law or any applicable court order;

(E) A program, policy or practice, regardless of its title, that seeks to advance the principles of prioritizing group identity over individual merit or that promotes outcomes based on race, sex, color, ethnicity or national origin unless explicitly required by federal law.

(ii) "Entity" means any governmental entity that will receive a legislative appropriation, including agencies of the executive branch, the offices of the five (5) statewide elected officials, the legislature, the judiciary, community colleges, the University of Wyoming, the Wyoming department of transportation, the game and fish department, counties, municipalities and school districts;

(iii) "Federally recognized Indian tribe" means a tribal government and its citizens who have an acknowledged government-to-government relationship with the United States of America.

(b) As a condition of receiving or expending any monies or funds appropriated, each governmental entity shall not expend any appropriated funds or funds received from bequests, charges, deposits, donations, endowments,

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fees, grants, gifts, tuition and any other source for programs or activities that, unless federal law otherwise requires:

(i) Establish or maintain a diversity, equity and inclusion office or program;

(ii) Hire or assign an employee or a contracted person to perform the duties associated with a diversity, equity and inclusion office or program;

(iii) Compel, require, induce or solicit any person to provide or abide by a diversity, equity and inclusion statement or give preferential treatment to any person based on a diversity, equity or inclusion statement;

(iv) Give preference on the basis of race, sex, color, ethnicity or national origin to an applicant for employment, an employee or a participant in any core function of the entity;

(v) Require, as a condition of employment, enrollment, a contract or the receipt of funds, the participation in diversity, equity and inclusion training.

(c) Nothing in this section shall be construed to:

(i) Prohibit the use or consideration of bona fide qualifications based on sex that are reasonably necessary to the normal operation of public higher education;

(ii) Prohibit the University of Wyoming or Wyoming community colleges, or an employee thereof, from

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submitting documentation or a statement for purposes of a grant or to comply with accreditation requirements;

(iii) Prohibit the provision of support services, including trainings, intended to familiarize students, faculty and staff with the Eastern Shoshone Tribe and the Northern Arapaho Tribe, or other federally recognized Indian tribes or groups identified as a political class, classification or identity;

(iv) Prohibit a governmental entity, or an employee thereof, from submitting documentation or a statement for purposes of a grant.

(d) For purposes of this section, "diversity, equity and inclusion office or program" shall not include:

(i) Academic course instruction;

(ii) The completion or dissemination of scholarly research or creative works by students, faculty and other research personnel of the University of Wyoming or Wyoming community colleges;

(iii) An activity of a student organization registered with or recognized by the University of Wyoming or a Wyoming community college;

(iv) Guest speakers or performers at the University of Wyoming or a Wyoming community college on a short-term engagement;

(v) Data collection.

(e) The following shall apply to this section:

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(i) Federally recognized Indian tribes and their citizens are recognized by federal law and court rulings as a political class, classification or identity. Tribes and their members are not a race or a racial classification for purposes of this section;

(ii) As a political class, classification or identity, federally recognized Indian tribes and programs, degrees, classes or endowments related to federally recognized Indian tribes or Indian history, culture, language and traditions, are not diversity, equity and inclusion as defined by this section. Nothing in this section shall be construed to apply to federally recognized Indian tribes.

ARTICLE 20

DIVERSITY RELATED INITIATIVES AND FUNDING

21-16-2001. Restrictions on required courses for diversity, equity and inclusion.

(a) As used in this section:

(i) "Constrain" means failure during any semester or academic unit to provide sufficient open seats in alternative courses for a student to complete or progress toward completion of degree or program requirements;

(ii) "Related content" means instruction advocating the concepts prohibited by W.S. 9-2-1014.4(b) and does not include identifying and discussing historical movements, ideologies or instances of racial hatred or

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discrimination, including but not limited to slavery, Indian removal, the Holocaust or Japanese-American internment;

(iii) "Related course" means any course whose course description, course overview, course objectives, proposed student learning outcomes, written examinations or written or oral assignments for which the student will receive a grade that includes related content;

(iv) "Related practice":

(A) Includes any requirement or guidance that a course instructor include or curate materials on the basis of race, sex or gender dysphoria;

(B) Includes participating in any workshop, training, seminar or professional development on any related content;

(C) Does not include any programming explicitly required by, and limited to, the institutional obligations to comply with state or federal law or an applicable court order.

(b) In prescribing the studies to be pursued at the University of Wyoming or a Wyoming community college, the board of trustees of the University of Wyoming and the district boards of each community college shall establish curricula and designate courses in a manner that does not require or constrain students to expend tuition or other funds on, or enroll in, a related course in order to satisfy the requirements of any academic degree program, including general education, major, minor or certificate requirements, subject to subsection (d) of this section.

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(c) The board of trustees of the University of Wyoming and the district boards of each community college, or any employee or professional thereof, shall not require, solicit or incentivize faculty or students to apply or participate in related practices, or include related content in any required course, as a condition of approval, designation or listing as part of any academic degree program, including any major, minor or certificate requirements or as a condition of consideration in any faculty member's performance assessment, tenure, salary adjustment or any other incentive, subject to subsection (d) of this section.

(d) Academic degree program requirements of any major, minor, certificate or department whose title clearly establishes its course of study as primarily focused on racial, ethnic or gender studies may be exempted from the requirements of subsections (b) and (c) of this section in writing by the board of trustees or the district board, as applicable, subject to the following:

(i) No student shall be required or constrained to enroll in any exempted program, department or course to satisfy the requirements of any other academic degree program;

(ii) The title of any currently established department, major, minor or certificate program shall not be altered or replaced to establish an emphasis on racial, ethnic or gender studies.

Section 2.

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(a) There is appropriated five hundred fifty thousand dollars (\$550,000.00) from the general fund to the University of Wyoming to provide medical education and training, and administrative costs thereof, for the first cohort of five (5) students under an agreement with the University of Utah school of medicine. Funds from this general fund appropriation shall be expended by the University of Wyoming provided that:

(i) The board of trustees of the University of Wyoming has entered into a contract with the University of Utah school of medicine under W.S. 21-17-109;

(ii) Students receiving medical education and training under this section shall comply with the state of Utah's diversity, equity and inclusion laws as they pertain to instruction and training provided at the University of Utah school of medicine;

(iii) The board of trustees of the University of Wyoming obtains an agreement with any student receiving medical education and training as specified in W.S. 21-17-109(d); and

(iv) All other provisions of W.S. 21-17-109 are satisfied.

(b) This appropriation shall not be transferred or expended for any other purpose. It is the intent of the legislature that this appropriation be doubled and funding for five (5) additional medical students each academic year be included in the University of Wyoming's standard budget for the immediately succeeding fiscal biennium.

Section 3.

ORIGINAL SENATE
FILE NO. SF0103

ENGROSSED

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(a) This act shall apply to all funds that are appropriated or received on and after the effective date of this act.

(b) Nothing in this act shall be construed to alter, amend or impair any contract or other agreement entered into before the effective date of this act.

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk