

HOUSE BILL NO. HB0096

Prohibiting mask, vaccine and testing discrimination.

Sponsored by: Representative(s) McCann, Allemand, Angelos, Bear, Brady, Heiner, Pendergraft and Webb and Senator(s) Pearson

A BILL

for

1 AN ACT relating to public health and safety; prohibiting  
2 discrimination and publishing or advertising based on a  
3 person's vaccination, face covering or medical testing  
4 status as specified; providing a civil cause of action;  
5 providing definitions; and providing for an effective date.

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

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

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11 **35-4-140. Discrimination based on face coverings,**  
12 **vaccination status and medical testing; penalty.**

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14 (a) As used in this section:

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1           (i) "COVID-19" means the novel coronavirus  
2 identified as severe acute respiratory syndrome coronavirus  
3 (SARS-CoV-2), any disease caused by severe acute  
4 respiratory syndrome coronavirus (SARS-CoV-2), its viral  
5 fragments or a virus mutating therefrom and all conditions  
6 associated with the disease that are caused by severe acute  
7 respiratory syndrome coronavirus (SARS-CoV-2), its viral  
8 fragments or a virus mutating therefrom;

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10           (ii) "COVID-19 medical testing" means testing  
11 performed to detect, diagnose or monitor COVID-19  
12 including, but not limited to, molecular testing,  
13 temperature testing, nasal swabbing, nasopharyngeal  
14 swabbing, oropharyngeal swabbing, saliva testing, antigen  
15 testing, antibody testing, urinalysis and blood testing;

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17           (iii) "Face covering" means a mask or protective  
18 covering for the mouth and nose, typically worn to reduce  
19 the spread of COVID-19;

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21           (iv) "Vaccination" means the act of  
22 administering a vaccine;

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1           (v) "Vaccine" means any substance including  
2 live, weakened or dead viruses designed to be administered  
3 to a person to produce immunity and prevent infectious  
4 viruses and diseases.

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6           (b) No person who receives subsidies from the state  
7 or federal government shall:

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9           (i) Refuse, withhold from or deny a person any  
10 services, goods, facilities, advantages or privileges that  
11 are public in nature or that invite the patronage of the  
12 public based on a person's COVID-19 vaccination or booster  
13 status, whether a person is not wearing a face covering or  
14 whether a person refuses to submit to COVID-19 medical  
15 testing;

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17           (ii) Publish, display or mail, either directly  
18 or indirectly, any communication, notice or advertisement  
19 that states that a person is required to wear a face  
20 covering, to have a COVID-19 vaccination or booster or to  
21 submit to COVID-19 medical testing as a condition for  
22 receiving or accessing services, goods, facilities,

1 advantages or privileges that are public in nature or that  
2 invite the patronage of the public.

3

4 (c) Any person aggrieved by a violation of subsection  
5 (b) of this section may file a civil action to recover a  
6 civil award of not more than five thousand dollars  
7 (\$5,000.00).

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9 **Section 2.** This act is effective immediately upon  
10 completion of all acts necessary for a bill to become law  
11 as provided by Article 4, Section 8 of the Wyoming  
12 Constitution.

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14

(END)