

SENATE FILE NO. SF0131

Discrimination.

Sponsored by: Senator(s) Rothfuss, Burns, Case, Craft, Esquibel, F., Hastert and Von Flatern and Representative(s) Blake, Brown, Connolly, Gingery, Greene, Petroff, Wallis and Zwonitzer, Dn.

A BILL

for

1 AN ACT relating to discrimination; prohibiting
 2 discrimination based on sexual orientation or gender
 3 identity as specified; and providing for an effective date.

4

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

6

7 **Section 1.** W.S. 1-11-101(b), 6-9-101(a), 6-9-102(a),
 8 9-2-1022(a)(v), 14-4-201(f), 19-14-107(a), 21-3-304(c),
 9 21-4-303, 21-7-302, 27-4-302(a)(intro) and (iv),
 10 27-9-105(a)(i) and (ii), 35-1-620(b)(viii),
 11 35-4-131(b)(intro) and 42-4-107(b) are amended to read:

12

13 **1-11-101. Qualifications of juror.**

14

1 (b) No citizen shall be excluded from service as a
2 juror on account of race, color, religion, sex, sexual
3 orientation or gender identity, age, national origin or
4 economic status.

5
6 **6-9-101. Equal enjoyment of public accommodations and**
7 **facilities; penalties.**

8
9 (a) All persons of good deportment are entitled to
10 the full and equal enjoyment of all accommodations,
11 advantages, facilities and privileges of all places or
12 agencies which are public in nature, or which invite the
13 patronage of the public, without any distinction,
14 discrimination or restriction on account of race, religion,
15 color, sex, sexual orientation or gender identity or
16 national origin.

17
18 **6-9-102. Discrimination prohibited; penalties.**

19
20 (a) No person shall be denied the right to life,
21 liberty, pursuit of happiness or the necessities of life
22 because of race, color, sex, sexual orientation or gender
23 identity, creed or national origin.

24

1 **9-2-1022. Duties of department performed through**
2 **human resources division.**

3

4 (a) Subject to subsection (b) of this section, the
5 department through the human resources division shall:

6

7 (v) Maintain a register of applications made by
8 all persons seeking employment with an agency. Each
9 application shall be rated on the basis of suitability and
10 qualifications without regard to political affiliation,
11 race, color, sex, sexual orientation or gender identity,
12 creed or age;

13

14 **14-4-201. Quality child care system established.**

15

16 (f) In the delivery of services, facilities that
17 receive funds under this article shall not discriminate
18 against any individual on the basis of sex, sexual
19 orientation or gender identity, color, race, religion,
20 national origin, disability or age other than the age of
21 the qualifying child. Notwithstanding this subsection,
22 facilities shall retain the ability to refer children with
23 developmental disabilities to appropriate services.

1 **19-14-107. Creation of veterans' commission;**
2 **composition; terms.**

3

4 (a) A Wyoming veterans' commission is created within
5 the military department consisting of twelve (12) members,
6 not less than one (1) of whom shall reside in each judicial
7 district identified in W.S. 5-3-101, appointed by the
8 governor for staggered terms of three (3) years.
9 Commencing with initial appointments made in 2005, four (4)
10 members of the board shall be appointed for a term of one
11 (1) year, four (4) members for a term of two (2) years and
12 four (4) members for a term of three (3) years. Terms
13 thereafter shall be three (3) years and staggered with one-
14 third (1/3) of the members' terms expiring each year.
15 Appointments shall be made without regard to political
16 affiliation, sex, sexual orientation or gender identity,
17 religion or ethnic background. The governor may remove any
18 member as provided in W.S. 9-1-202. A chairman shall be
19 elected by the commission from among its members and a new
20 chairman elected every two (2) years thereafter.

21

22 **21-3-304. Charter school; requirements; authority.**

23

1 (c) A charter school shall be subject to all federal
2 and state laws and constitutional provisions prohibiting
3 discrimination on the basis of disability, race, creed,
4 color, gender, sexual orientation or gender identity,
5 national origin, religion, ancestry or need for special
6 education services. Enrollment decisions shall be made in a
7 nondiscriminatory manner specified by the charter school
8 applicant in the charter school application. Enrollment
9 decisions shall not discriminate against at-risk students
10 or special program students.

11

12 **21-4-303. Right not denied on account of sex, race,**
13 **sexual orientation or religion.**

14

15 No child shall be denied the right to attend the public
16 schools of this state on account of sex, sexual orientation
17 or gender identity, race, or religion.

18

19 **21-7-302. Discrimination in compensation prohibited.**

20

21 No discrimination in the amount of compensation for the
22 teachers in the public schools of this state shall be made
23 on account of sex, sexual orientation or gender identity,
24 race or religious belief.

1

2 **27-4-302. Prohibition on paying employees less for**
3 **same work.**

4

5 (a) No employer shall discriminate, within the same
6 establishment in which the employees are employed, between
7 employees on the basis of gender, gender identity or sexual
8 orientation by paying wages to employees at a rate less
9 than the rate at which the employer pays wages to employees
10 of the opposite gender, gender identity or sexual
11 orientation for equal work on jobs the performance of which
12 requires equal skill, effort and responsibility and which
13 are performed under similar working conditions, except
14 where the payment is made pursuant to:

15

16 (iv) A differential based on any other factor
17 other than gender, gender identity or sexual orientation.

18

19 **27-9-105. Discriminatory and unfair employment**
20 **practices enumerated; limitations.**

21

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

24

1 (i) For an employer to refuse to hire, to
2 discharge, to promote or demote, or to discriminate in
3 matters of compensation or the terms, conditions or
4 privileges of employment against, a qualified disabled
5 person or any person otherwise qualified, because of age,
6 sex, sexual orientation or gender identity, race, creed,
7 color, national origin, ancestry or pregnancy;

8
9 (ii) For a person, an employment agency, a labor
10 organization, or its employees or members, to discriminate
11 in matters of employment or membership against any person,
12 otherwise qualified, because of age, sex, sexual
13 orientation or gender identity, race, creed, color,
14 national origin, ancestry or pregnancy, or a qualified
15 disabled person;

16
17 **35-1-620. Powers and duties of department and its**
18 **divisions.**

19
20 (b) The department shall:

21
22 (viii) Prescribe conditions of eligibility for
23 funding under this act so that no person shall be denied
24 services on the basis of race, creed, color, national

1 origin, sexual orientation or gender identity or inability
2 to pay.

3

4 **35-4-131. Consent of minors to treatment; treatment**
5 **of infected or exposed persons; immunity from liability.**

6

7 (b) For the protection of public health, a physician,
8 health officer or other person or facility providing health
9 care in accordance with state or federal law shall for any
10 individual regardless of age, sex, sexual orientation or
11 gender identity, race or color:

12

13 **42-4-107. Uniform application throughout state;**
14 **discrimination prohibited; pilot projects authorized.**

15

16 (b) The provision of medical assistance to any
17 applicant or qualified recipient shall not be denied or
18 delayed and the administration of this chapter shall not
19 otherwise discriminate against any applicant or recipient
20 on the basis of race, creed, color, national origin, sex,
21 sexual orientation or gender identity, or mental or
22 physical handicap.

23

