HB1001   COVID-19 vaccine employer mandates.

Sponsored By: Representative(s) Greear, Barlow, Bear, Burkhart,
                         Duncan, Heiner, Oakley, Olsen, Sommers, Western and
                         Wilson and Senator(s) Boner, Cooper, Dockstader,
                         Driskill, Hicks, Hutchings, Kinskey, Kolb, Kost,
                         Salazar and Steinmetz

AN ACT relating to labor and employment; prohibiting employers in Wyoming from
requiring COVID-19 vaccinations with emergency use authorizations or a COVID-
19 vaccination as a condition of employment except as specified; providing for
exemptions; providing for reasonable alternative measures for employees unable
or unwilling to receive a COVID-19 vaccine; authorizing rulemaking; providing
conditional sunset dates; providing applicability; providing an appropriation;
authorizing a position; and providing for an effective date.

10/21/2021   Bill Number Assigned
10/22/2021   H Received for Introduction
10/26/2021   H Introduced and Referred to H09 - Minerals
10/26/2021   Pursuant to HR 16 Referred to H02 - Appropriations
10/27/2021   H09 - Minerals:Recommend Amend and Do Pass 7-1-1-0-0

ROLL CALL
Ayes: Representative(s) Bear, Duncan, Eyre, Gray, Greear, Heiner, Western
Nays: Representative Sherwood
Excused: Representative Burkhart, Jr
Ayes 7   **Nays** 1   **Excused** 1   **Absent** 0   **Conflicts** 0

10/27/2021   H02 - Appropriations:Recommend Do Pass 6-1-0-0-0

ROLL CALL
Ayes: Representative(s) Kinner, Larsen, Nicholas, Simpson, Stith, Walters
Nays: Representative Schwartz
Ayes 6   **Nays** 1   **Excused** 0   **Absent** 0   **Conflicts** 0

10/27/2021   H Placed on General File

HB1001HS001.01/ADOPTED   **[DIVIDED AMENDMENT]**
                         (CORRECTED CORRECTED COPY)

Page 1-line 2   After "requiring" insert "vaccinations with emergency
                        use authorizations or".

Page 1-line 9   After "requirement;" delete balance of line.

Page 1-lines 10 through 12   Delete entirely.

Page 1-line 13   Delete "worker incentive program;".

Page 2-line 4   Delete "providing legislative".

Page 2-line 5   Delete "findings;".

Page 2-lines 11 through 21   Delete entirely and renumber as necessary.

Page 3-lines 1 through 20   Delete entirely.

Page 3-line 22   Delete "(b)" and insert "(a)".

Page 4-after line 13   Insert and renumber as necessary:

      "(iv) "Emergency use authorized vaccine" means a vaccine that has received an emergency use authorization from the United States food and drug administration but has not received full approval or authorization from the United States food and drug administration;".

Page 4-line 15   Delete "(iv)" and insert "(v)".

Page 4-line 18   Delete "(v)" and insert "(vi)".

Page 4-line 21   Delete "(vi)" and insert "(vii)".

Page 5-line 8   After "Wyoming" insert "shall require or mandate an employee to receive any emergency use authorized vaccine as a condition of employment. Notwithstanding any Wyoming law to the contrary, no employer in the state of Wyoming".

Page 5-line 15   After "workplace" insert ", or would otherwise jeopardize the business,".

Page 5-lines 19 through 23   Delete entirely.

Page 6-lines 1 and 2   Delete entirely and insert:

      "(ii) The employer provides and accepts exemptions to the requirement or mandate upon submission of written evidence in accordance with the following:

      (A) An employer shall grant an exemption for religious grounds upon submission of an exemption;

      (B) An employer shall grant an exemption for medical grounds upon submission of an exemption that is completed or signed by a licensed physician. For exemptions for medical grounds that are not signed or completed by a licensed physician, an employer may grant the exemption;

      (C) An employer shall grant an exemption for medical contraindication to the administration of the COVID-19 vaccine or upon written evidence that the employee is fully recovered from a COVID-19 infection;

      (D) An employer who has enacted a COVID-19 vaccine requirement before the effective date of this section and ceased to accept or solicit exemptions or did not accept or solicit exemptions before the effective date of this section shall accept and grant exemptions in accordance with this paragraph on and after the effective date of this section.".

Page 7-line 7   After "employment" insert "that takes effect".

Page 10-lines 4 through 23   Delete entirely and renumber as necessary.

Pages 11 and 12   Delete entirely.

Page 13-lines 1 through 14   Delete entirely.

Page 13-line 16   Delete "**Section 5.**" and insert "**Section 3.**".

Page 14-line 9   Delete "March 31, 2022" and insert "October 1, 2024".

Page 14-line 10   Delete "June".

Page 14-line 11   Delete "1, 2022" and insert "October 1, 2024".

Page 14-line 19   Delete "**Section 6.**" and insert "**Section 4.**".

Page 15-line 10   Delete "2022" and insert "2023".

Page 15-line 12   Delete "**Section 7.**" and insert "**Section 5.**".

Page 15-line 15   After "employment" insert "that takes effect".

Page 15-line 16   After "October 31, 2021" insert "and to employers who
                           have issued a COVID-19 vaccine mandate or requirement
                           before October 31, 2021 but that takes effect on or
                           after October 31, 2021".

Page 15-line 18   Delete "**Section 8.**" and insert "**Section 6.**". GREEAR,
                           CHAIRMAN

HB1001HS001.02/FAILED   [DIVIDED AMENDMENT]
                              (CORRECTED CORRECTED COPY)

Page 15-line 6   After "exhausted." delete balance of line.

Page 15-line 7   Delete entirely.

Page 15-line 8   Delete "paragraph" and insert "For purposes of this
                           paragraph, "any challenge to the federal law,
                           regulation, rule or standard" includes any challenge
                           filed by any state or United States territory in a
                           federal court of the United States". GREEAR, CHAIRMAN

HB1001HS002/FAILED
Page 13-line 16   Delete "ten million dollars".

Page 13-line 17   Delete "($10,000,000.00)" and insert "one thousand
                           dollars ($1,000.00)". NICHOLAS, CHAIRMAN

HB1001HW001/WITHDRAWN

HB1001HW002/FAILED
Delete the Larsen et al. committee of the whole amendment (HB1001HW001/A)
                           entirely and further amend as follows:

Page 6-lines 1 and 2   In the first House standing committee amendment
                           (HB1001HS001/AC) to these lines, in subparagraph
                           (A) as created by that amendment, after "upon
                           submission of an exemption" insert "that includes

a description of the applicant's sincerely held
religious belief and how the vaccine requirement
substantially burdens the applicant's religious
exercise". ZWONITZER

HB1001HW003/FAILED
Delete the first Larsen et al. committee of the whole amendment (HB1001HW001/AC)
entirely and further amend as follows:

Page 7-lines 5 through 12 Delete entirely including the first House standing
committee (HB1001HS001/ACC) to these lines.

Page 7-line 14   Delete "(c)" insert "(b)"; delete "(e)" insert "(d)".

Page 7-line 17   Delete "(d)" insert "(c)".

Page 8-line 11   Delete "(d)" insert "(c)"; delete "(e)" insert "(d)".

Page 8-line 13   Delete "(c)" insert "(b)".

Page 8-line 20   Delete "(e)" insert "(d)".

Page 8-line 21   Delete "(c)" insert "(b)".

Page 9-line 14   Delete "(f)" insert "(e)".

Page 9-line 20   Delete "(g)" insert "(f)".

Page 9-line 22   Delete "(c)" insert "(b)". LARSEN, KINNER, NICHOLAS,
SCHWARTZ, STITH, WALTERS

HB1001HW004/ADOPTED
Page 14-line 21   Before "The provisions of" insert "Subject to section
6 of this act,".

Page 15-after line 16   Insert and renumber as necessary:

     "**Section 6.** The provisions of section 2 of this act shall not be enforced
on and after the date on which a federal law, rule, regulation or order is
enacted that imposes a COVID-19 vaccine requirement or mandate on Wyoming
employers, to the extent that those provisions conflict with the federal law,
rule, regulation or order.".

To the extent required by this amendment: adjust totals; and renumber as
necessary. NICHOLAS, KINNER, LARSEN, SCHWARTZ, STITH, WALTERS

HB1001HW005/WITHDRAWN

HB1001HW006/ADOPTED
Page 1-line 6   After "vaccine;" delete balance of line.

Page 1-lines 7 and 8   Delete entirely.

Page 1-line 9   Delete "vaccination requirement;".

Page 7-lines 14 through 23   Delete entirely.

Page 8-lines 1 through 22   Delete entirely.

Page 9-lines 1 through 12   Delete entirely.

Page 9-line 14   Delete "(f)" insert "(c)".

Page 9-line 20   Delete "(g)" insert "(d)".

Page 9-line 21   Delete "under one".

Page 9-line 22   Delete entirely.

Page 10-line 1   Delete "this section".

To the extent required by this amendment renumber as necessary. LARSEN, KINNER, NICHOLAS, SCHWARTZ, STITH, WALTERS

10/27/2021   H COW:Passed

HB1001H2001/ADOPTED
Page 4-after line 13   In the first House standing committee amendment (HB1001HS001.01/ACC) to this line, after "(iv) "Emergency use authorized" insert "COVID-19"; after "means a" insert "COVID-19". BEAR

HB1001H2002/FAILED
Page 6-lines 1 and 2   In the first House standing committee amendment (HB1001HS001.01/ACC) to these lines, in subparagraph (B) as created by that amendment, after "grant an exemption for medical grounds" insert ", including medical contraindication,"; delete ". For exemptions for medical grounds that are not signed or completed by a licensed physician, an employer may grant the exemption"; delete subparagraph (C) as created by that amendment entirely and renumber as necessary; delete "(D)" and insert "(C)". SHERWOOD

HB1001H2003/ADOPTED
Page 2-line 2   Delete "providing civil penalties;".

Page 7-line 10   After "practice" delete balance of line.

Page 7-lines 11 and 12   Delete entirely and insert ". A person aggrieved by an unfair employment practice under this subsection may file a complaint in accordance with the requirements of W.S. 27-9-106.". YIN

HB1001H2004/ADOPTED
Page 1-line 13   Delete "creating a program to provide for".

Page 2-line 1   Delete entirely.

Page 2-line 2   Delete "employers;".

Page 13-lines 16 through 23   Delete entirely including the first House standing committee amendment (HB1001HS001.01/ACC) to these lines.

Page 14-lines 1 through 17   Delete entirely including the first House standing committee amendment (HB1001HS001.01/ACC) to these lines.

To the extent required by this amendment, renumber as necessary. NICHOLAS

HB1001H2005/WITHDRAWN

HB1001H2006/FAILED
Page 15-line 1   After "regulation," insert "order,".

Page 15-line 5   After "regulation," insert "order,".

Page 15-after line 16   In the Nicholas, et al. committee of the whole amendment (HB1001HW004/A) to this line, in Section 6 as created by that amendment, after "which a federal law, rule," insert "standard,"; after "conflict with the federal law, rule," insert "standard,". OLSEN

HB1001H2007/ADOPTED   (CORRECTED COPY)
Delete the Nicholas, et al. committee of the whole amendment (HB1001HW004/A) entirely and further amend as follows:

Page 14-line 21   Delete "be".

Page 14-line 22   Delete "repealed upon" and insert "not be enforced after".

Page 15-line 6   After "exhausted" insert "if, during the pendency of the challenge a judicial stay is in place that prevents the enforcement of the federal law, regulation, rule, standard or order".

Page 15-after line 16   Delete the Olsen second reading amendment (HB1001H2006/A) to this line.

To the extent required by this amendment, renumber as necessary. CRAGO

HB1001H2008/FAILED
Page 6-line 5   After "measures to" insert "employees who have submitted exemptions under paragraph (ii) of this subsection or".

Page 6-line 6   After "vaccine" insert "." and delete balance of line.

Page 6-lines 7 through 9   Delete entirely.

Page 6-line 10   Delete line through "subsection.". LARSEN

HB1001H2009/ADOPTED

Page 4-lines 21 through 23   Delete entirely including the House
                                    standing committee amendment
                                    (HB1001HS001.01/ACC) to these lines.

Page 5-lines 1 through 3   Delete entirely.

To the extent required by this amendment, renumber as necessary. SHERWOOD

HB1001H2010/WITHDRAWN

HB1001H2011/FAILED
Delete the Yin second reading amendment (HB1001H2003/A) entirely and further
                    amend as follows:

Page 7-line 11   Delete "one hundred dollars ($100.00)" and insert "five
                                    hundred dollars ($500.00)". HAROLDSON

HB1001H2012/ADOPTED
Page 7-line 7   Delete "whose" and insert "who knowingly imposes a
                                    COVID-19".

Page 7-line 8   After "mandate" insert "that". PROVENZA

HB1001H2013/FAILED
Page 6-line 22   After "guidelines" insert ", provided that testing by
                                    means other than by use of a nasal swab shall be offered
                                    to employees". HAROLDSON, GRAY, HALLINAN, NEIMAN

HB1001H2014/FAILED
Page 14-line 21   Delete "(a)".

Page 14-line 22   Delete "upon the earlier of:" and insert "on".

Page 15-line 1   Delete "(i)".

Page 15-line 8   Delete "; or" and insert ".".

Page 15-line 10   Delete entirely including the House standing committee
                                    amendment (HB1001HS001.01/ACC) to this line.

To the extent required by this amendment, renumber as necessary. JENNINGS

HB1001H2015/FAILED
Delete the Jennings second reading amendment (HB1001H2014/A) and the Nicholas,
et al. committee of the whole amendment (HB1001HW004/A) entirely and further
amend as follows:

Page 14-line 21   Delete "(a)".

Page 14-line 22   Delete "upon the earlier of:" and insert "on".

Page 15-lines 1 through 8   Delete entirely.

Page 15-line 10   Delete "(ii)". GRAY, BEAR, HALLINAN, HAROLDSON

ROLL CALL

Ayes: Representative(s) Andrew, Baker, Bear, Blackburn, Fortner, Gray, Hallinan, Haroldson, Heiner, Jennings, Knapp, Laursen, D, Neiman, Ottman, Rodrig-Williams, Styvar, Williams, Winter
Nays: Representative(s) Banks, Barlow, Brown, Burkhart, Burt, Clausen, Connolly, Crago, Duncan, Eklund, Eyre, Flitner, Greear, Harshman, Henderson, Kinner, Larsen, L, Lebeau, Macguire, Nicholas, Oakley, Obermueller, O'hearn, Olsen, Paxton, Provenza, Romero-Martinez, Roscoe, Schwartz, Sherwood, Simpson, Sommers, Stith, Sweeney, Walters, Washut, Western, Wilson, Yin, Zwonitzer
Excused: Representative(s) Newsome, Wharff
Ayes 18   **Nays** 40   **Excused** 2   **Absent** 0   **Conflicts** 0

HB1001H2016/WITHDRAWN

HB1001H2017/FAILED
Page 5-line 15	In the House standing committee amendment (HB1001HS001.01/ACC) to this line, after "business" insert "of the employer if the employer receives one hundred thousand dollars ($100,000.00) or more per year in federal funding". BEAR

HB1001H2018/ADOPTED
Page 1-line 2	In the House standing committee amendment (HB1001HS001.01/ACC) to this line, before "vaccinations" insert "COVID-19".
Page 5-line 8	In the House standing committee amendment (HB1001HS001.01/ACC) to this line, after "authorized" insert "COVID-19". BEAR

10/28/2021   H 2nd Reading:Passed

HB1001H3001/FAILED   (CORRECTED COPY)
Page 4-line 16	After "employment" insert "and shall include independent contractors".
Page 4-line 18	Delete "as defined by W.S.".
Page 4-line 19	Delete entirely and insert "any person or organization that has in its employ one hundred (100) or more employees performing services for it in employment;". SHERWOOD, DUNCAN, LARSEN

HB1001H3002/ADOPTED   (CORRECTED COPY)
Page 6-lines 1 and 2	In the House standing committee amendment (HB1001HS001.01/ACC) to these lines, in subparagraph (B) created by that amendment, after the first "physician" insert ", advanced practice nurse or physician assistant"; after the second "physician" insert ", advanced practice nurse or physician assistant".
Page 6-lines 1 and 2	In the House standing committee amendment (HB1001HS001.01/ACC) to these lines, in subparagraph (C) created by that amendment, delete "is fully recovered from a COVID-19 infection" and insert "has previously tested positive for COVID-19". WILSON

HB1001H3004/ADOPTED

Page 2-line 2   Delete "appropriating federal".

Page 2-line 3   Delete "funds;".

Page 2-line 4   After "applicability;" insert "providing an appropriation; authorizing a position;".

Page 10-after line 2   Insert and renumber as necessary:

"**Section 3.**

(a) There is appropriated four hundred thousand dollars ($400,000.00) from the general fund to the department of workforce services for purposes of implementing this act and for funding the position authorized in subsection (b) of this section. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2024. This appropriation shall not be transferred or expended for any other purpose and any unobligated, unexpended funds remaining from this appropriation shall revert as provided by law on June 30, 2024.

(b) There is authorized one (1) at-will employee contract position to the department of workforce services to carry out the purposes of this act beginning with the effective date of this act and ending on the date on which section 2 of this act is no longer in effect or June 30, 2024, whichever is earlier.

(c) It is the intent of the legislature that the appropriation and the position authorized in this section shall not be included in the standard budget of the department of workforce services for the 2025-2026 biennium.".

To the extent required by this amendment: adjust totals; and renumber as necessary. WALTERS

HB1001H3005/ADOPTED

Delete the Crago second reading amendment (HB1001H2007/AC) and the Nicholas, et al. committee of the whole amendment (HB1001HW004/A) entirely and further amend as follows:

Page 14-lines 21 and 22 Delete entirely.

Page 15-lines 1 through 10   Delete entirely including the House standing committee amendment (HB1001HS001.01/ACC) to these lines and insert:

"(a) Except as otherwise provided in this section, to the extent that section 2 of this act conflicts with a federal law, regulation, rule, standard or order, the provisions of section 2 of this act shall not be enforced after a federal law, regulation, rule, standard or order takes legal effect that has the effect of requiring Wyoming employers to comply with a federal COVID-19 vaccine requirement or mandate.

(b) Notwithstanding subsection (a) of this section, the provisions of section 2 of this act shall be enforceable during any period in which the federal law, regulation, rule, standard or order is subject to a federal judicial stay applicable in Wyoming or is otherwise repealed, withdrawn,

superseded or declared by a federal court of competent jurisdiction to be unlawful or unenforceable.

    (c) Section 2 of this act is repealed on March 31, 2023.".

To the extent required by this amendment, renumber as necessary. YIN, CRAGO, GREEAR, OLSEN

HB1001H3006/FAILED
Page 6-line 7   After "status." insert "An employee who provides written evidence that he is fully recovered from a COVID-19 infection shall be treated as if he has received the COVID-19 vaccination and shall not be required to perform any reasonable alternative measures under this paragraph.". BEAR

HB1001H3007/ADOPTED
Page 6-line 10   After "subsection." insert "An employer shall not be required to provide an employee's preferred reasonable alternative measures so long as the reasonable alternative measures that the employer provides are effective and are in accordance with this section.".

Page 6-line 18   After "employer" insert ". Nothing in this subparagraph shall require an employer to reassign an employee to different duties while providing the same or similar pay or salary". BROWN

HB1001H3008/ADOPTED
Page 7-lines 11 and 12 In the Yin second reading amendment (HB1001H2003/A) to these lines, after "27-9-106." insert "An employer who unknowingly creates a COVID-19 vaccination mandate or requirement that does not conform to the requirements of subsection (a) of this section shall bring the COVID-19 vaccination mandate or requirement into compliance upon being notified of the nonconformity.". WASHUT

HB1001H3009/ADOPTED
Page 6-line 22   After "guidelines" insert ", provided that testing by means other than by use of nasopharyngeal swab shall also be offered to employees when available". LAURSEN, HAROLDSON

HB1001H3010/ADOPTED
Page 7-line 7   Delete "October 31, 2021" and insert "the effective date of this act".

Page 15-line 16   Delete "October 31, 2021" and insert "the effective date of this act".

Page 15-line 16   In the House standing committee amendment (HB1001HS001.01/ACC) to this line, after "before" delete "October 31, 2021" and insert "the effective date of this act"; after "on or after" delete "October 31, 2021" and insert "the effective date of this act". ZWONITZER

HB1001H3011/FAILED
Page 6-after line 22   Insert:

                        "(C) The allowance of employees to take or receive
alternative COVID-19 treatments in lieu of a COVID-19 vaccination.". HAROLDSON

HB1001H3012/ADOPTED
Page 4-line 18   Delete "as defined by W.S.".

Page 4-line 19   Delete entirely and insert "any person or organization
                        that has in its employ one hundred (100) or more
                        employees performing services for it in employment, any
                        person or organization with at least one (1) employee
                        and has contracts involving Medicare and Medicaid in
                        the course of the employer's business and any person or
                        organization with at least one (1) employee and has any
                        other federal contract in the course of the employer's
                        business;". SHERWOOD, DUNCAN, LARSEN

HB1001H3003/WITHDRAWN
10/29/2021 H 3rd Reading:Passed 38-20-2-0-0

                              ROLL CALL
Ayes: Representative(s) Andrew, Baker, Barlow, Bear, Blackburn, Burkhart,
Clausen, Crago, Duncan, Eklund, Fortner, Gray, Greear, Hallinan, Haroldson,
Heiner, Jennings, Knapp, Laursen, D, Neiman, Oakley, O'hearn, Olsen, Ottman,
Paxton, Rodrig-Williams, Romero-Martinez, Simpson, Sommers, Stith, Styvar,
Washut, Western, Wharff, Williams, Wilson, Winter, Zwonitzer
Nays: Representative(s) Banks, Brown, Burt, Connolly, Eyre, Flitner,
Henderson, Kinner, Larsen, L, Lebeau, Macguire, Nicholas, Obermueller,
Provenza, Roscoe, Schwartz, Sherwood, Sweeney, Walters, Yin
Excused: Representative(s) Harshman, Newsome
Ayes 38   **Nays** 20   **Excused** 2   **Absent** 0   **Conflicts** 0

11/1/2021   S Received for Introduction
11/1/2021   S Introduced and Referred to S02 - Appropriations
11/1/2021   S02 - Appropriations:Recommend Amend and Do Pass 3-2-0-0-0

                              ROLL CALL
Ayes: Senator(s) Hicks, Kinskey, Steinmetz
Nays: Senator(s) Gierau, Perkins
Ayes 3   **Nays** 2   **Excused** 0   **Absent** 0   **Conflicts** 0

11/1/2021   S Placed on General File

HB1001SS001/ADOPTED   (TO ENGROSSED COPY)
Page 1-line 2   Delete "COVID-19 vaccinations".

Page 1-line 3   Delete "with emergency use authorizations or".

Page 1-line 5   Delete "alternative".

Page 1-line 6   Delete "measures" and insert "accommodations".

Page 2-lines 19 through 22   Delete entirely and renumber as necessary.

Page 3-lines 1 and 2   Delete entirely.

Page 3-line 4   Delete "(v)" and insert "(iv)".

Page 3-line 7   Delete "(vi)" and insert "(v)".

Page 3-line 13   Delete "has any other federal".

Page 3-line 14   Delete "contract" and insert "is subject to federal acquisition or procurement regulations or requirements established by the center for Medicare and Medicaid services for payment".

Page 3-line 18   After "(a)" delete balance of line.

Page 3-lines 19 through 21   Delete entirely.

Page 4-line 6   Delete "critical" and insert "important".

Page 4-line 9   Delete "evidence" and insert "notice".

Page 4-line 14   Delete "evidence" and insert "notice".

Page 4-line 16   Delete "grant" and insert "consider".

Page 4-line 17   After "exemption" insert ", which shall be granted or denied in accordance with applicable guidelines of the federal equal employment opportunity commission".

Page 4-line 19   Delete "grant" and insert "consider".

Page 4-line 20   Delete "that is" and insert ", which shall be granted or denied in accordance with applicable guidelines of the federal equal employment opportunity commission.".

Page 4-lines 21 through 23   Delete entirely.

Page 5-lines 1 and 2   Delete entirely.

Page 5-line 6   After "vaccine" delete "or" and insert ",".

Page 5-line 7   After "COVID-19" insert " or upon evidence of a laboratory test detecting the presence of antibodies to COVID-19".

Page 5-line 18   Delete "alternative measures" and insert "accommodations"; delete "not received the" and insert "qualified for a medical or religious exemption under this subsection.".

Page 5-lines 19 through 22   Delete entirely.

Page 5-line 23   Delete line through "subsection.".

Page 6-line 2   Delete "alternative measures" and insert "accommodations"; after "reasonable" delete "alternative".

Page 6-line 3   Delete "measures" and insert "accommodations".

Page 6-line 4   Delete "alternative".

Page 6-line 5   Delete "measures" and insert "accommodations".

Page 6-line 11   Delete "burden" and insert "hardship".

Page 6-line 18   Delete "by means other".

Page 6-line 19   Delete line through "swab".

Page 7-lines 5 through 18   Delete entirely and renumber as necessary.

Page 7-line 20   Delete "(c)" and insert "(b)".

Page 8-lines 4 through 7   Delete entirely and renumber as necessary.

Page 9-lines 16 through 23   Delete entirely.

Page 10-lines 1 through 9   Delete entirely and insert and renumber as necessary:

     "(a) Subject to the provisions of this section, the provisions of section 2 of this act shall not be enforced until the date of final disposition or resolution, including during the pendency of any appeal and during any period between the entry of a judgment or mandate and an appeal of the judgment, of all federal litigation concerning federal COVID-19 vaccine mandates that conflict with the provisions of section 2 of this act.

     (b) Subject to subsection (c) of this section, the provisions of section 2 of this act are repealed if a conflicting federal law, regulation, rule, standard or order concerning a COVID-19 vaccine requirement or mandate is upheld in a federal court of competent jurisdiction or the federal law, regulation, rule, standard or order is otherwise found by a federal court to be lawful and enforceable.".

To the extent required by this amendment, renumber as necessary. PERKINS, CHAIRMAN

11/1/2021   S COW:Passed

HB1001S2001/FAILED   (TO ENGROSSED COPY)
**   (CORRECTED COPY)**

Page 10-lines 1 through 9   In the Senate standing committee amendment (HB1001SS001/AE) to these lines, in subsection (a) created by that amendment, after "section 2 of this act shall" delete "not". STEINMETZ

HB1001S2002/ADOPTED   (TO ENGROSSED COPY)
**   (CORRECTED COPY)**

Page 4-line 16   Delete the Senate standing committee amendment (HB1001SS001/AE) to this line entirely.

Page 4-line 17   Delete the Senate standing committee amendment (HB1001SS001/AE) to this line entirely.

Page 4-line 19   Delete the Senate standing committee amendment (HB1001SS001/AE) to this line entirely.

Page 4-line 20   Delete the Senate standing committee amendment (HB1001SS001/AE) to this line entirely.

Page 4-lines 21 through 23   Delete the Senate standing committee amendment (HB1001SS001/AE) to these lines entirely.

Page 4-line 22   After reinserted "practice" insert "registered".

Page 5-lines 1 and 2   Delete the Senate standing committee amendment (HB1001SS001/AE) to these lines entirely.

Page 5-line 1   After reinserted "practice" insert "registered". STEINMETZ, SALAZAR

ROLL CALL

Ayes: Senator(s) Biteman, Boner, Bouchard, Cooper, Dockstader, Driskill, French, Hicks, Hutchings, James, Kolb, Mckeown, Salazar, Schuler, Steinmetz
Nays: Senator(s) Anderson, Baldwin, Case, Ellis, Furphy, Gierau, Kinskey, Kost, Landen, Nethercott, Rothfuss
Excused: Senator(s) Pappas, Perkins, Scott, Wasserburger
Ayes 15   **Nays** 11   **Excused** 4   **Absent** 0   **Conflicts** 0

HB1001S2003/WITHDRAWN

HB1001S2004/FAILED   **(TO ENGROSSED COPY)**
Page 5-line 6   Delete the Senate standing committee amendment (HB1001SS001/AE) to this line; after "vaccine" delete balance of line and insert ".".

Page 5-line 7   Delete entirely including the Senate standing committee amendment (HB1001SS001/AE) to this line. BALDWIN

ROLL CALL

Ayes: Senator(s) Anderson, Baldwin, Furphy, Gierau, Kinskey, Kost, Landen, Nethercott, Rothfuss
Nays: Senator(s) Biteman, Boner, Bouchard, Case, Cooper, Dockstader, Driskill, Ellis, French, Hicks, Hutchings, James, Kolb, Mckeown, Salazar, Schuler, Steinmetz
Excused: Senator(s) Pappas, Perkins, Scott, Wasserburger
Ayes 9   **Nays** 17   **Excused** 4   **Absent** 0   **Conflicts** 0

HB1001S2005/ADOPTED   **(TO ENGROSSED COPY)**
Page 1-line 7   After "vaccine;" insert "prohibiting public entities from requiring COVID-19 vaccines for the receipt of benefits;".

Page 1-after line 12   Insert and renumber as necessary:

"**Section 1.** W.S. 9-14-103 is created to read:

9-14-103. COVID-19 vaccine mandates; proof; prohibitions.

(a) As used in this section:

(i) "COVID-19" means as defined by W.S. 1-1-141(a)(ii);

(ii) "COVID-19 vaccine" 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;

(iii) "Public entity" means as defined by W.S. 16-6-101(a)(viii).

(b) Notwithstanding W.S. 14-4-116, 21-4-309, 27-11-113, 35-4-113 and 35-4-139, no public entity shall require a person to receive or show proof of a COVID-19 vaccine for the person to receive or qualify for any public benefit to which the person is entitled.".

Page 2-line 1	Delete "**Section 1.**" and insert "**Section 2.**".
Page 3-line 12	Delete "and" and insert ",".
Page 3-line 14	After "business" insert "and any public entity as defined by W.S. 16-6-101(a)(viii)".
Page 3-line 16	Delete "**Section 2.**" and insert "**Section 3.**".
Page 8-line 9	Delete "**Section 3.**" and insert "**Section 4.**".
Page 9-line 5	Delete "section 2" and insert "section 3".
Page 9-line 14	Delete "**Section 4.**" and insert "**Section 5.**".
Page 10-lines 1 through 9	In the Senate standing committee amendment (HB1001SS001/AE) to these lines, in subsection (a) created by that amendment, after "section, the provisions of" delete "section 2" and insert "section 3"; after "that conflict with the provisions of" delete "section 2" and insert "section 3"; in subsection (b) created by that amendment, delete "section 2" and insert "section 3".
Page 10-line 11	Delete "Section 2" and insert "Section 3".
Page 10-line 14	Delete "**Section 5.**" and insert "**Section 6.**".
Page 11-line 1	Delete "**Section 6.**" and insert "**Section 7.**".

To the extent required by this amendment, renumber as necessary. STEINMETZ

HB1001S2006/WITHDRAWN

HB1001S2007/ADOPTED   **(TO ENGROSSED COPY)**

Delete the second Steinmetz, et al. second reading amendment (HB1001S2002/ACE) entirely.

Delete the Schuler, et al. second reading amendment (HB1001S2003/ACE) entirely.

Delete the Baldwin second reading amendment (HB1001S2004/AE) entirely.

Further amend the engrossed copy as follows:

Page 1-line 4   After "employment" insert ";" and delete balance of line.

Page 1-line 5   Delete entirely including the Senate standing committee amendment (HB1001SS001/AE) to this line.

Page 1-line 6   Delete entirely including the Senate standing committee amendment (HB1001SS001/AE) to this line.

Page 1-line 7   Delete "COVID-19 vaccine;"; delete "authorizing rulemaking;".

Page 1-line 9   Delete line through "position;".

Page 4-line 2   After "employment" insert ", provided that COVID-19 testing of employees in a form and frequency that is consistent with current public health guidelines shall also be offered to employees when available." and delete balance of line.

Page 4-lines 3 through 20   Delete entirely including the Senate standing committee amendment (HB1001SS001/AE) and the Hicks second reading amendment (HB1001S2006/AE) to these lines.

Page 5-lines 4 through 18   Delete entirely including the Senate standing committee amendment (HB1001SS001/AE) to these lines.

Page 5-line 23   Delete "An employer shall not be".

Page 6-lines 1 through 20   Delete entirely including the Senate standing committee amendment (HB1001SS001/AE) to these lines.

Page 7-lines 1 through 3   Delete entirely.

Page 7-lines 20 through 22   Delete entirely including the Senate standing committee amendment (HB1001SS001/AE) to these lines and renumber as necessary.

Page 8-lines 1 and 2   Delete entirely.

Page 8-lines 9 through 21   Delete entirely including the Steinmetz second reading amendment (HB1001S2005/AE) in these lines and renumber as necessary.

Page 9-lines 1 through 12   Delete entirely including the Steinmetz
                                 second reading amendment (HB1001S2005/AE)
                                 in these lines.

Page 9-line 14   Delete entirely including the Steinmetz second reading
                      amendment (HB1001S2005/AE) to this line and insert
                      "**Section 3.**".

Page 10-lines 1 through 9   In the Senate standing committee amendment
                                 to these lines, in subsection (a) created
                                 by that amendment, after "of this act
                                 shall" delete "not"; in subsection (b)
                                 created by that amendment, after
                                 "conflicting" insert "federal
                                 constitutional provision or".

Page 10-lines 14 through 22   Delete entirely including the Steinmetz
                                 second reading amendment (HB1001S2005/AE)
                                 in these lines and renumber as necessary.

Page 11-line 1   Delete entire entirely including the Steinmetz second
                      reading amendment (HB1001S2005/AE) to this line and
                      insert "**Section 4.**".

To the extent required by this amendment, renumber as necessary. HUTCHINGS

ROLL CALL
Ayes: Senator(s) Anderson, Baldwin, Case, Cooper, Driskill, Ellis, French,
Furphy, Gierau, Hutchings, Kinskey, Kost, Landen, Nethercott, Rothfuss, Schuler
Nays: Senator(s) Biteman, Boner, Bouchard, Dockstader, Hicks, James, Kolb,
Mckeown, Salazar, Steinmetz
Excused: Senator(s) Pappas, Perkins, Scott, Wasserburger
Ayes 16   **Nays** 10   **Excused** 4   **Absent** 0   **Conflicts** 0

11/2/2021   S 2nd Reading:Passed

HB1001S3001/ADOPTED   **(TO ENGROSSED COPY)**
Delete the Hutchings second reading amendment (HB1001S2007/AE) entirely. HICKS

HB1001S3002/ADOPTED   **(TO ENGROSSED COPY)**
                                 (CORRECTED COPY)

Page 2-lines 5 through 10   Delete entirely and renumber as necessary.

Page 2-line 12   Delete "(ii)" and insert "(i)".

Page 2-line 15   Delete "(iii)" and insert "(ii)".

Page 3-line 4   In the Senate standing committee amendment
                      (HB1001SS001/AE) to this line, delete "(iv)" and insert
                      "(iii)".

Page 3-lines 7 through 14   Delete entirely including the Senate
                                 standing committee amendment

(HB1001SS001/AE) and the third Steinmetz second reading amendment (HB1001S2005/AE) to these lines and insert:

"(iv) "Employer" means:

(A) Any person or organization that has in its employ one hundred (100) or more employees performing services for it in employment;

(B) Any person or organization with at least one (1) employee and who has contracts involving Medicare and Medicaid in the course of the employer's business;

(C) Any person or organization with at least one (1) employee and who is subject to federal acquisition or procurement regulations or requirements established by the centers for Medicare and Medicaid services for payment in the course of the employer's business; or

(D) Any public entity as defined by W.S. 16-6-101(a)(viii).". HICKS

HB1001S3003/WITHDRAWN

HB1001S3004/WITHDRAWN

HB1001S3005/ADOPTED   (TO ENGROSSED COPY)
Page 1-line 7   In the Steinmetz second reading amendment (HB1001S2005/AE)to this line, after "benefits;" insert "creating a waiver to a COVID-19 vaccine requirement for a child attending public school upon request of a parent;".

Page 1-after line 12   In the Steinmetz second reading amendment (HB1001S2005/AE)to this line, after subsection (b) created by that amendment, insert:

"(c) The state or county health officer shall grant a waiver to any mandated administration of a COVID-19 vaccine to a person attending, full or part time, any public school or kindergarten through twelfth grade upon submission of a written request by a child's parent, legal guardian or other adult authorized to consent to medical treatment of the child seeking the waiver. The state or county health officer shall grant the requested immunization waiver within seven (7) business days of receipt.". BITEMAN, BONER

ROLL CALL
Ayes: Senator(s) Biteman, Boner, Bouchard, Cooper, Dockstader, Driskill, Ellis, French, Hicks, James, Kolb, Kost, Mckeown, Nethercott, Salazar, Schuler, Steinmetz
Nays: Senator(s) Anderson, Baldwin, Case, Furphy, Gierau, Hutchings, Kinskey, Perkins, Rothfuss, Wasserburger
Excused: Senator(s) Pappas, Scott
Conflicts: Senator Landen
Ayes 17   **Nays** 10   **Excused** 2   **Absent** 0   **Conflicts** 1

HB1001S3006/ADOPTED   (TO ENGROSSED COPY)

Page 1-line 7   In the Steinmetz second reading amendment (HB1001S2005/AE)to this line, after "benefits;" insert "creating a waiver for public school mask mandates;".

Page 1-after line 12 In the Steinmetz second reading amendment (HB1001S2005/AE) to this line, after subsection (b) created by that amendment, insert:

"(c) The state or county health officer shall grant a waiver to any mask mandate intended to abate transmission of COVID-19 imposed on a person attending, full or part time, any public school or kindergarten through twelfth grade upon submission of a written request by the child's parent, legal guardian or other adult authorized to consent to medical treatment of the child seeking the waiver. The state or county health officer shall grant the requested waiver within seven (7) business days of receipt.". BITEMAN, BONER

ROLL CALL
Ayes: Senator(s) Biteman, Boner, Bouchard, Cooper, Dockstader, Driskill, Ellis, French, Hicks, Hutchings, James, Kinskey, Kolb, Mckeown, Nethercott, Salazar, Schuler, Steinmetz
Nays: Senator(s) Anderson, Baldwin, Case, Furphy, Gierau, Kost, Perkins, Rothfuss, Wasserburger
Excused: Senator(s) Pappas, Scott
Conflicts: Senator Landen
Ayes 18 **Nays** 9 **Excused** 2 **Absent** 0 **Conflicts** 1

HB1001S3007/FAILED   **(TO ENGROSSED COPY)**
Delete all previously adopted Senate amendments to the engrossed copy and further amend the engrossed copy as follows:

Page 1-lines 1 through 10 Delete entirely and insert:

"AN ACT relating to the protection of constitutional rights; declaring that federal COVID-19 vaccine mandates or requirements have no force or effect in Wyoming; providing definitions; and providing for an effective date.".

Page 2-line 3   Delete "the non-codified sections of"; after "act" delete ":" and insert ",".

Page 2-lines 5 through 13 Delete entirely.

Page 2-line 15   Delete "(iii)".

Page 2-line 17   Delete ";" and insert ".".

Page 2-lines 19 through 22 Delete entirely.

Page 3-lines 1 through 14 Delete entirely and insert:

"(b) Any federal laws, regulations or orders that impose or require that any person receive a COVID-19 vaccine for any reason shall have no force or effect within the geographical borders of the state of Wyoming.".

Page 3-lines 16 through 23 Delete entirely.

Pages 4 through 10   Delete entirely.

Page 11-line 1   Delete "**Section 6.**" and insert "**Section 2.**".

To the extent required by this amendment, renumber as necessary. —PERKINS

ROLL CALL
Ayes: Senator(s) Anderson, Driskill, Ellis, Furphy, Hicks, Hutchings, Kinskey, Kolb, Kost
Nays: Senator(s) Baldwin, Biteman, Boner, Bouchard, Case, Cooper, Dockstader, French, Gierau, James, Landen, Mckeown, Nethercott, Perkins, Rothfuss, Salazar, Schuler, Steinmetz, Wasserburger
Excused: Senator(s) Pappas, Scott
Ayes 9   **Nays** 19   **Excused** 2   **Absent** 0   **Conflicts** 0

11/3/2021   S 3rd Reading:Failed 15-13-2-0-0

ROLL CALL
Ayes: Senator(s) Biteman, Boner, Bouchard, Cooper, Dockstader, Driskill, French, Hicks, Hutchings, James, Kolb, Mckeown, Salazar, Schuler, Steinmetz
Nays: Senator(s) Anderson, Baldwin, Case, Ellis, Furphy, Gierau, Kinskey, Kost, Landen, Nethercott, Perkins, Rothfuss, Wasserburger
Excused: Senator(s) Pappas, Scott
Ayes 15   **Nays** 13   **Excused** 2   **Absent** 0   **Conflicts** 0

11/3/2021   S 3rd Reading:Bill Reconsideration Motion Passed by Roll Call 15-13-2-0-0

ROLL CALL
Ayes: Senator(s) Biteman, Boner, Bouchard, Cooper, Dockstader, Driskill, French, Hicks, Hutchings, James, Kolb, Mckeown, Salazar, Schuler, Steinmetz
Nays: Senator(s) Anderson, Baldwin, Case, Ellis, Furphy, Gierau, Kinskey, Kost, Landen, Nethercott, Perkins, Rothfuss, Wasserburger
Excused: Senator(s) Pappas, Scott
Ayes 15   **Nays** 13   **Excused** 2   **Absent** 0   **Conflicts** 0

11/3/2021   S 3rd Reading:Failed 14-13-3-0-0

ROLL CALL
Ayes: Senator(s) Biteman, Bouchard, Cooper, Dockstader, Driskill, French, Hicks, Hutchings, James, Kolb, Mckeown, Salazar, Schuler, Steinmetz
Nays: Senator(s) Anderson, Baldwin, Case, Ellis, Furphy, Gierau, Kinskey, Kost, Landen, Nethercott, Perkins, Rothfuss, Wasserburger
Excused: Senator(s) Boner, Pappas, Scott
Ayes 14   **Nays** 13   **Excused** 3   **Absent** 0   **Conflicts** 0