

SENATE FILE NO. SF0094

An act regarding compelled speech and state employers.

Sponsored by: Senator(s) Hutchings, French and Ide and
Representative(s) Styvar and Ward

A BILL

for

1 AN ACT relating to the administration of government;
2 prohibiting the state and its political subdivisions from
3 compelling speech as specified; authorizing a civil remedy;
4 providing an exception to the Wyoming governmental claims
5 act; 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. 9-14-301 is created to read:

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11

ARTICLE 3

12

COMPELLED OR PROHIBITED SPEECH

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9-14-301. Compelled speech; civil action.

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1 (a) The state and its political subdivisions shall
2 not compel or require an employee to refer to another
3 employee using that employee's preferred pronouns:

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5 (i) As a condition of continuing or commencing
6 employment or contracting with the state or a political
7 subdivision;

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9 (ii) As a condition to receive a grant,
10 contract, license or other benefit afforded by the state or
11 a political subdivision; or

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13 (iii) Under threat of adverse action by the
14 state or a political subdivision, including but not limited
15 to an adverse employment action, exclusion, sanction or
16 punishment.

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18 (b) Any person aggrieved by a violation of subsection
19 (a) of this section may file a civil action in any court of
20 competent jurisdiction against the state or any political
21 subdivision, and its employees acting in their official
22 capacities, responsible for the violation to recover
23 appropriate relief, including injunctive or declaratory

1 relief, compensatory damages, reasonable attorney fees and
2 court costs.

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4 **Section 2.** W.S. 1-39-104(a) is amended to read:

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6 **1-39-104. Granting immunity from tort liability;**
7 **liability on contracts; exceptions.**

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9 (a) A governmental entity and its public employees
10 while acting within the scope of duties are granted
11 immunity from liability for any tort except as provided by
12 W.S. 1-39-105 through 1-39-112 and 9-14-301. Any immunity
13 in actions based on a contract entered into by a
14 governmental entity is waived except to the extent provided
15 by the contract if the contract was within the powers
16 granted to the entity and was properly executed and except
17 as provided in W.S. 1-39-120(b). The claims procedures of
18 W.S. 1-39-113 apply to contractual claims against
19 governmental entities.

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21 **Section 3.** This act applies to civil causes of action
22 that are initiated on or after the effective date of this
23 act.

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Section 4. This act is effective July 1, 2024.

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(END)