



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1407

employers; vaccines; religious exemption

Purpose

Requires employers to allow employees that complete a religious exemption form to opt out of vaccination requirements for COVID-19, influenza A, influenza B, flu or any vaccine authorized by the U.S. Food and Drug Administration (FDA) for emergency use only. Prohibits employers from discriminating against an employee regarding employment, wages or benefits based on vaccination status and from inquiring into the veracity of an employee's religious beliefs, practices or observances.

Background

Employers that receive notice from an employee that taking the COVID-19 vaccination conflicts with a sincerely held religious belief, practice or observance must provide the employee a reasonable accommodation, unless the accommodation would pose an undue hardship and more than de minimus cost to the employer ([A.R.S. § 23-206](#)).

Under federal law, when the Secretary of the U.S. Department of Health and Human Services declares that an emergency use authorization is appropriate, the FDA may authorize unapproved medical products or unapproved uses of approved medical products to be used in an emergency to diagnose, treat or prevent serious or life-threatening diseases or conditions caused by chemical, biological, radiological or nuclear threat agents when certain criteria are met, including that there are no adequate, approved and available alternatives ([FDA](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires employers to allow employees that complete a religious exemption form to opt out of vaccination requirements for COVID-19, influenza A, influenza B, flu or any vaccine authorized by the FDA for emergency use only.
2. Prohibits employers from:
 - a) inquiring into the veracity of an employee's religious beliefs, practices or observances to the extent beyond what is allowed under federal law; and
 - b) discriminating against an employee regarding employment, wages or benefits based on vaccination status.
3. Removes the employer exception to the religious vaccination exemption requirement for cases in which providing a reasonable accommodation would cause more than a de minimus cost to the employer.

FACT SHEET

S.B. 1407

Page 2

4. Outlines minimum requirements of an employer's vaccination religious exemption form.
5. Requires employers to keep religious exemption claims confidential within the organization, except to the extent necessary to process the exemption, accommodation or other operational necessity.
6. Allows an employer to create a database of religious exemption requests only for internal use, unless otherwise required by law.
7. Defines *COVID-19* and *sincerely held religious beliefs, practices or observances*.
8. Makes a conforming change.
9. Becomes effective on the general effective date.

Prepared by Senate Research

February 7, 2024

MM/sdr