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HOUSE FLOOR AMENDMENTS

2024 Regular Session

Amendments proposed by Representative Echols to Engrossed House Bill No. 87 by Representative Echols

1 AMENDMENT NO. 1

2 On page 1, after "To" delete the remainder of the line and delete lines 3 through 5 in their
3 entirety and insert the following:

4 "enact R.S. 40:1125.42, relative to COVID-19 mandates; to provide for definitions;
5 to provide relative to mask mandates; to provide relative to vaccine mandates; to
6 provide for exceptions; to provide for relief; and to provide for related matters."

7 AMENDMENT NO. 2

8 On page 1, line 7, after "Section 1." delete the remainder of the line and delete lines 8
9 through 19 in their entirety and delete pages 2 and 3 in their entirety and insert the following:

10 R.S. 40:1125.42 is hereby enacted to read as follows:

11 §1125.42. COVID-19 mandates; mask; vaccinations

12 A. For purposes of this Section:

13 (1) "Governmental entity" means any department, office, division, agency,
14 commission, board, committee, or other organizational unit of a political subdivision.

15 B. (1) Except as provided by Paragraph (2) of this Subsection, a governmental
16 entity or business shall not implement, order, or impose a mandate requiring a person
17 to wear a face covering to prevent the spread of COVID-19.

18 (2) The provisions of this Subsection shall not apply to the following:

19 (a) A nursing facility as defined by R.S. 40:2009.2.

20 (b) A correctional facility as defined by R.S. 14:402.

21 (c) A hospital as defined by R.S. 40:2102.

22 C. (1) Except as provided by Paragraph (2) of this Subsection, a governmental
23 entity or business shall not implement, order, or impose a mandate requiring a person
24 to be vaccinated against COVID-19.

25 (2) The provisions of this Subsection shall not apply to the following:

1 (a) Hospitals as defined by R.S. 40:2102 , or nursing facilities as defined by
2 R.S. 40:2009.2, if the Centers for Medicare and Medicaid Services mandate that
3 patient care employees in hospitals or nursing facilities receive the COVID-19
4 vaccination.

5 (b) Religious accommodations in accordance with Title VII of the 1964 Civil
6 Rights Act.

7 D. A person may file a petition requesting that the attorney general seek
8 injunctive relief if a governmental entity violates the provisions of this Section. In
9 an injunction issued pursuant to a violation of this Section, a court may include
10 reasonable requirements to prevent further violations of this Section.

11 E. A violation of this Section shall be fined in accordance with the following.
12 All fines in violation of this section shall include reasonable cost of investigation and
13 attorney fees while the attorney general investigates and prosecutes any accused
14 violation of this section.

15 (1) A governmental entity shall be fined \$50,000 for each violation of this
16 Section.

17 (2) A small business as defined by the Small Business Administration shall
18 be fined \$10,000 for each violation of this Section.

19 (3) A large business shall be fined \$50,000 for each violation of this Section.

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