

2022 Regular Session

HOUSE BILL NO. 974

BY REPRESENTATIVES EDMONSTON, AMEDEE, BAGLEY, BUTLER, ECHOLS,
FIRMINT, FRIEMAN, GADBERRY, HODGES, HORTON, MCCORMICK,
CHARLES OWEN, AND SCHAMERHORN

EMPLOYMENT: Provides for vaccine requirements in the workplace

1 AN ACT

2 To enact Part III of Chapter 3 of Title 23 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 23:271, relative to employment; to provide for vaccine
4 requirements; to provide for written documentation against vaccine requirements; to
5 provide for exemptions provided for in federal laws and regulations; to provide for
6 reasonable accommodations; to provide for unlawful employment practices; to
7 provide for licensing and permits; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Part III of Chapter 3 of Title 23 of the Louisiana Revised Statutes of 1950,
10 comprised of R.S. 23:271, is hereby enacted to read as follows:

11 PART III. VACCINATIONS IN THE WORKPLACE

12 §271. Vaccine requirements; exemptions

13 A. An employer that is required to mandate a vaccine for an employee shall
14 waive the requirement if the employee, or, if the employee is a minor, the employee's
15 parent or legal guardian, submits either of the following to the employer:

16 (1) A written statement from a physician or signed by a physician stating that
17 receiving the vaccine is contraindicated for medical reasons.

18 (2) A written dissent or statement of a deeply held religious or philosophical
19 belief against receiving the vaccine.

1 B. An employer shall accept exemptions that are allowable under the Civil
2 Rights Act of 1964 and the Americans with Disabilities Act of 1990 and offer
3 reasonable accommodations.

4 C. No employer shall discharge any employee or otherwise discriminate
5 against any employee with respect to his compensation, terms, conditions, or
6 privileges of employment because of his refusal to adhere to a vaccine requirement.

7 D. Notwithstanding any provision of law to the contrary, each appropriate
8 state agency shall ensure that a business in this state complies with the provisions of
9 this Section as a condition of obtaining a license or permit for authorization as
10 necessary to conduct business in this state.

11 E. The provisions of this Section shall not apply to any vaccine mandate that
12 is required in accordance with any federal law or regulation.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 974 Original

2022 Regular Session

Edmonston

Abstract: Provides for vaccine requirements in the workplace.

Proposed law provides that if an employer is required to enforce a vaccine requirement, an employee, or a parent or legal guardian if the employee is a minor, may submit a written statement claiming a medical exemption from or a written dissent or statement of a deeply held religious or philosophical belief against the vaccine requirement. Proposed law further provides that the employer must honor the exemption.

Proposed law provides that an employer shall accept exemptions that are allowable under the Civil Rights Act of 1964 and the Americans with Disabilities Act of 1990 and offer reasonable accommodations.

Proposed law provides that no employer shall discharge any employee or otherwise discriminate against any employee with respect to his compensation, terms, conditions, or privileges of employment because of his refusal to adhere to a vaccine requirement.

Proposed law provides that each appropriate state agency shall ensure that a business in this state complies with the provisions of proposed law as a condition of obtaining a license or permit for authorization as necessary to conduct business in this state.

Proposed law provides that the provisions of proposed law shall not apply to any vaccine mandate that is required in accordance with any federal law or regulation.

(Adds R.S. 23:271)