

HOUSE BILL 799

P4, L6

2lr2156

By: **Delegates Morgan, Arikan, Beitzel, Boteler, Chisholm, Clark, M. Fisher, Grammer, Hornberger, Jacobs, Kittleman, Krebs, Mangione, Mautz, McComas, Otto, Parrott, Rose, Shoemaker, Szeliga, and Thiam**

Introduced and read first time: February 3, 2022

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State and Local Government – COVID–19 – Vaccination by Choice Act**

3 FOR the purpose of prohibiting the State and the political subdivisions in the State from
4 requiring an applicant for employment or an employee to provide proof of vaccination
5 against COVID–19 as a condition for employment; and generally relating to
6 employment in State and local government and vaccination requirements.

7 BY adding to

8 Article – Local Government

9 Section 1–207

10 Annotated Code of Maryland

11 (2013 Volume and 2021 Supplement)

12 BY adding to

13 Article – State Personnel and Pensions

14 Section 2–312

15 Annotated Code of Maryland

16 (2015 Replacement Volume and 2021 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Local Government**

20 **1–207.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) IN THIS SECTION, “COVID-19” MEANS, INTERCHANGEABLY AND**
2 **COLLECTIVELY, THE CORONAVIRUS KNOWN AS COVID-19 OR 2019-NCoV AND THE**
3 **SARS-CoV-2 VIRUS.**

4 **(B) THIS SECTION APPLIES TO THE FOLLOWING GOVERNMENTAL ENTITIES:**

5 **(1) COUNTIES;**

6 **(2) MUNICIPALITIES;**

7 **(3) BICOUNTY AGENCIES;**

8 **(4) COUNTY BOARDS OF EDUCATION;**

9 **(5) PUBLIC CORPORATIONS;**

10 **(6) SPECIAL TAXING DISTRICTS; AND**

11 **(7) ANY OTHER POLITICAL SUBDIVISIONS IN THE STATE.**

12 **(C) A GOVERNMENTAL ENTITY MAY NOT REQUIRE AN APPLICANT FOR**
13 **EMPLOYMENT OR AN EMPLOYEE TO PROVIDE PROOF OF VACCINATION AGAINST**
14 **COVID-19 AS A CONDITION FOR EMPLOYMENT.**

15 **Article – State Personnel and Pensions**

16 **2-312.**

17 **(A) IN THIS SECTION, “COVID-19” MEANS, INTERCHANGEABLY AND**
18 **COLLECTIVELY, THE CORONAVIRUS KNOWN AS COVID-19 OR 2019-NCoV AND THE**
19 **SARS-CoV-2 VIRUS.**

20 **(B) THIS SECTION APPLIES TO ALL UNITS IN THE EXECUTIVE, JUDICIAL,**
21 **AND LEGISLATIVE BRANCHES OF STATE GOVERNMENT, INCLUDING ALL UNITS WITH**
22 **INDEPENDENT PERSONNEL SYSTEMS.**

23 **(C) A UNIT OF STATE GOVERNMENT MAY NOT REQUIRE AN APPLICANT FOR**
24 **EMPLOYMENT OR AN EMPLOYEE TO PROVIDE PROOF OF VACCINATION AGAINST**
25 **COVID-19 AS A CONDITION FOR EMPLOYMENT.**

26 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
27 **October 1, 2022.**