

# HOUSE BILL NO. 1624

## 101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SCHROER.

4220H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To amend chapters 191 and 537, RSMo, by adding thereto two new sections relating to COVID-19 vaccination.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapters 191 and 537, RSMo, are amended by adding thereto two new sections, to be known as sections 191.635 and 537.1415, to read as follows:

**191.635. 1. For purposes of this section, the following terms mean:**

- 2       **(1) "Contractor", any person contracted by an employer to perform work or**
- 3 **service of any kind or character for the employer;**
- 4       **(2) "COVID-19 testing", testing performed to detect infection with the severe**
- 5 **acute respiratory syndrome coronavirus 2;**
- 6       **(3) "COVID-19 vaccination status", an indication of whether a person has**
- 7 **received a vaccination against COVID-19;**
- 8       **(4) "Employee", any person performing work or service of any kind or**
- 9 **character for an employer;**
- 10       **(5) "Employer", any:**
- 11       **(a) Individual, sole proprietorship, partnership, limited liability company,**
- 12 **corporation, or any other entity that is legally doing business in this state; or**
- 13       **(b) Government entity;**
- 14       **(6) "Government entity":**
- 15       **(a) Any agency or instrumentality of the state government; or**
- 16       **(b) Any political subdivision or agency or instrumentality thereof;**

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 (7) "Political subdivision", any municipality, school district, special district,  
18 local governmental body, county, city, town, or village.

19 2. An employer or government entity shall not require weekly COVID-19 testing  
20 for employees, contractors, or students who are not vaccinated against COVID-19 if the  
21 employer or government entity does not require employees, contractors, or students  
22 who are vaccinated against COVID-19 to undergo weekly COVID-19 testing.

23 3. (1) An employer or government entity may require all employees,  
24 contractors, or students to undergo periodic COVID-19 testing at any interval as long  
25 as the employer or government entity does not consider COVID-19 vaccination status to  
26 determine whether to grant any exemptions to the testing requirement or vary the  
27 interval of the testing.

28 (2) Any employer or government entity that requires COVID-19 testing as  
29 described in subdivision (1) of this subsection shall pay all costs for such testing.

537.1415. 1. For purposes of this section, the following terms mean:

2 (1) "Contractor", any person contracted by an employer to perform work or  
3 service of any kind or character for the employer;

4 (2) "Employee", any person performing work or service of any kind or  
5 character for an employer;

6 (3) "Employer", any:

7 (a) Individual, sole proprietorship, partnership, limited liability company,  
8 corporation, or any other entity that is legally doing business in this state; or

9 (b) Government entity;

10 (4) "Government entity":

11 (a) Any agency or instrumentality of the state government; or

12 (b) Any political subdivision or agency or instrumentality thereof;

13 (5) "Political subdivision", any municipality, school district, special district,  
14 local governmental body, county, city, town, or village.

15 2. Any employer or government entity that requires its employees, contractors,  
16 or students to undergo or prove receipt of a vaccination against COVID-19 as a  
17 condition of employment for an employee, as a condition of the contract for a  
18 contractor, or as a condition of educational opportunities for a student shall be liable to  
19 such employees, contractors, or students for damages or physical, mental, or emotional  
20 injury arising from the required vaccination.

21 3. Notwithstanding any other provision of law, an action under this section may  
22 be commenced at any time.