

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 9001 – SB 9004

October 27, 2021

SUMMARY OF BILL: Establishes liability for side effects of a COVID-19 vaccine to an employer or private institution of higher learning which mandates the vaccination for employment or enrollment.

Defines “vaccine side effect” as a side effect recognized by the Centers for Disease Control and Prevention discovered prior to, on, or after the date of an employer mandated immunization, vaccination, or injection for COVID-19 that occurs at a time after the required immunization, vaccination, or injection.

Requires that a notice of injury be provided to the employer or private institution of higher learning within 30 days of manifestation of the vaccine’s side effect.

Exempts damages caused by or resulting from an immunization, vaccination, or injection for COVID-19 from the definition of “arising from COVID-19” under the Tennessee COVID-19 Recovery Act, effectively removing the requirement that a person proves gross negligence or willful misconduct by the defendant in order to prevail in a claim based on damages caused by or resulting from such an immunization, vaccination, or injection.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Based on information provided by the Bureau of Workers’ Compensation, this legislation is not estimated to have any significant impact on total workers’ compensation cases handled by the Bureau.
- There is currently no known department, agency, or entity within state government that currently requires its employees to submit to a COVID-19 vaccine; therefore, this legislation would have no significant impact on state government.
- Any impact resulting from this legislation will be borne by private parties to civil actions. The impact on courts’ caseloads is estimated to be not significant. Therefore, enactment of this legislation will not result in a significant fiscal impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

Handwritten signature of Krista Lee Carsner in black ink.

Krista Lee Carsner, Executive Director

/jb