

HOUSE BILL 637

By Barrett

AN ACT to amend Tennessee Code Annotated, Title 8;
Title 14; Title 37; Title 50 and Title 68, relative to
religious exemptions for immunizations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 1, Part 3, is amended by
adding the following as a new section:

(a) As used in this section:

(1) "Adverse action" means to:

(A) Discriminate against a person by denying the person
employment; or

(B) Discharge, threaten, or otherwise discriminate against an
employee in a manner that affects the employee's employment, including
compensation, terms, conditions, locations, rights, immunities,
promotions, or privileges;

(2) "Employer" means a person or entity that employs one (1) or more
persons; and

(3) "Healthcare provider" means a healthcare practitioner, person, or
facility licensed, authorized, certified, registered, or regulated under title 33, title
63, title 68, federal law or order, or an executive order of the governor, including,
but not limited to:

(A) An employee, agent, or contractor of such a practitioner,
person, or facility; and

(B) Residents, interns, students, fellows, or volunteers of an accredited school or of such school's affiliated teaching or training hospitals or programs in this state.

(b) An employer that requires an immunization as a condition of employment or continued employment shall exempt from the requirement a person who files with the employer a signed, written statement that the immunization conflicts with the person's religious tenets and practices. If a person files a statement of religious objection to immunization under this subsection (b), then the employer shall not require any form of proof of the person's religious conviction beyond the signed, written statement.

(c) An employer shall not take an adverse action against a person who files a statement of religious objection under subsection (b).

(d) Notwithstanding subsection (c), a healthcare provider does not violate this section if reasonable accommodation measures are implemented and provided to a person who files a statement of religious objection in order to protect the safety and health of other persons from communicable diseases.

(e) A person injured as a result of a violation of this section may maintain a private right of action for injunctive relief and to recover compensatory damages and reasonable attorney's fees against an alleged violator.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.