

HOUSE BILL 9060

By Grills

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 5; Title 6; Title 7; Title 29; Title 49; Title 50
and Title 68, relative to employment.

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) "Employee" has the same meaning as that term is defined in § 50-1-207;

(2) "Employer" means a person, association, or legal, commercial, or governmental entity receiving services from one (1) or more employees and, in return, giving compensation of any kind to such employees;

(3) "Governmental entity" means this state, a local government, or a political or civil subdivision of this state; and

(4) "Vaccine" means a vaccination or immunization for COVID-19.

(b) Notwithstanding another law to the contrary, if an employer requires its employees to receive a vaccine as a condition of employment during a declared COVID-19 pandemic, then an employee has the right to refuse the vaccine, immunization, or medication based on the employee's strongly held religious beliefs or right of conscience.

(c) If an employee exercises the employee's right to refuse a vaccine, immunization, or medication under subsection (b), then the employee must provide written notice to the employer stating the grounds for the refusal. If the employee is a

minor, other than an emancipated minor, then the employee's parent or legal guardian must submit the written notice to the employer.

(d) Notwithstanding any law to the contrary, if an employer discharges, suspends, or takes an adverse action against an employee for refusing to take a vaccine on the basis of the employee's strongly held religious beliefs or right of conscience, the employee or former employee has a cause of action against the employer for:

(1) Not more than eight (8) weeks of lost wages; or

(2) Other appropriate compensatory damages as the court deems appropriate, not to exceed five thousand dollars (\$5,000).

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