

HOUSE BILL 9078

By Sexton C

AN ACT relative to addressing the COVID-19 pandemic.

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

SECTION 1.

(a) A person, private business, or state or local governmental official, entity, department, or agency shall not compel proof of vaccination for COVID-19 by a person, including an employee or a consumer.

(b) A state or local governmental official, entity, department, or agency shall not:

(1) Require, or mandate that a private business require, proof of vaccination for COVID-19 as a condition of entering upon the premises of the business or utilizing services provided by the business; or

(2) Require proof of vaccination for COVID-19 as a condition of entering upon the premises of a state or local governmental entity, or utilizing services provided by a state or local governmental entity.

SECTION 2.

(a) Except as otherwise provided under subsection (b), an employer shall not take an adverse action against an employee, or fail to hire an applicant, based solely on the employee's or applicant's refusal to provide documentation evidencing the employee's or applicant's vaccination for COVID-19.

(b) An employer that is mandated by federal law or regulation, or by presidential executive order, to require its applicants and employees to provide documentation evidencing the applicant's or employee's vaccination for COVID-19 shall provide a

specific exemption process that, at a minimum, allows an applicant or employee to produce the following as an alternative to receiving a vaccination for COVID-19:

(1) A negative antigen detection test result or molecular diagnostic test result no more than one (1) time per week; or

(2) Proof of immunity to the virus that causes COVID-19, including the presence of antibodies, T-cell response, or proof of a positive COVID-19 test, no more than one (1) time every six (6) months, from a licensed healthcare provider.

(c) As used in this section, "adverse action" means to 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.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.