

SENATE BILL 9081

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 50,
Chapter 1, relative to COVID-19.

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) An employer who mandates COVID-19 vaccination as a condition of employment for employees shall accept the following from an employee as suitable proof of vaccination for COVID-19:

(1) Documentation of a complete immunization for COVID-19;

(2) Documentation of a valid medical test showing the presence of COVID-19 antibodies; or

(3) A written attestation from a physician licensed to practice medicine in this state that the employee has been previously infected with COVID-19 and has recovered with sufficient natural immunity to the pathogen.

(b) An employee who faces an adverse action from an employer for failing to provide proof of vaccination for COVID-19 after providing or attempting to provide the documentation in subsection (a) has a cause of action against the employer and is entitled to damages and remedies permitted by law, including recovery of reasonable attorneys' fees and costs.

(c) As used in this section:

(1) "COVID-19" means the novel coronavirus, SARS-CoV-2, and coronavirus disease 2019, including a mutation or variant of the novel coronavirus, SARS-CoV-2, and coronavirus disease 2019;

(2) "Employee" means a natural person who performs services for an employer for valuable consideration; and

(3) "Employer" means a person, association, or entity that employs one (1) or more employees and includes the state and its political subdivisions.

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