

SENATE BILL 9085

By Pody

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 1; Title 5, Chapter 1; Title 6, Chapter 54 and Title 8, relative to governmental authority to mandate certain actions.

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

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 1, Part 4, is amended by adding the following as a new section:

(a) A governmental entity of this state or an official in state government shall not, as a response to the COVID-19 pandemic:

- (1) Require a person to wear a face covering;
- (2) Require a private business entity to close or limit capacity;
- (3) Restrict a person's freedom to assemble peaceably;
- (4) Restrict a person's freedom to travel;
- (5) Require a person to show proof of vaccination for the COVID-19

virus;

- (6) Require a person to show proof of a COVID-19 antibody test; or
- (7) Restrict, segregate, or diminish services or any freedom to receive or provide services, in a government-owned, -operated, or -funded facility.

(b) Notwithstanding subsection (a):

(1) Health facilities owned or operated by this state may continue to use appropriate policies regarding the wearing of face coverings; and

(2) The department of correction and the department of children's services, and local jails acting consistent with standards prescribed by the

Tennessee corrections institute, may continue to use appropriate policies regarding the wearing of face coverings.

SECTION 2. Tennessee Code Annotated, Title 5, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) Notwithstanding § 68-2-609, a county or an official of the county shall not, as a response to the COVID-19 pandemic:

- (1) Require a person to wear a face covering;
- (2) Require a private business entity to close or limit capacity;
- (3) Restrict a person's freedom to assemble peaceably;
- (4) Restrict a person's freedom to travel;
- (5) Require a person to show proof of vaccination for the COVID-19

virus;

(6) Require a person to show proof of a COVID-19 antibody test; or

(7) Restrict, segregate, or diminish services or any freedom to receive or provide services, in a government-owned, -operated, or -funded facility.

(b) Notwithstanding subsection (a):

(1) Health facilities owned or operated by a county may continue to use appropriate policies regarding the wearing of face coverings; and

(2) Local jails acting consistent with standards prescribed by the Tennessee corrections institute may continue to use appropriate policies regarding the wearing of face coverings.

SECTION 3. Tennessee Code Annotated, Title 6, Chapter 54, Part 1, is amended by adding the following as a new section:

(a) A municipality or an official of the municipality shall not, as a response to the COVID-19 pandemic:

- (1) Require a person to wear a face covering;
 - (2) Require a private business entity to close or limit capacity;
 - (3) Restrict a person's freedom to assemble peaceably;
 - (4) Restrict a person's freedom to travel;
 - (5) Require a person to show proof of vaccination for the COVID-19 virus;
 - (6) Require a person to show proof of a COVID-19 antibody test; or
 - (7) Restrict, segregate, or diminish services or any freedom to receive or provide services, in a government-owned, -operated, or -funded facility.
- (b) Notwithstanding subsection (a):
- (1) Health facilities owned or operated by a municipality may continue to use appropriate policies regarding the wearing of face coverings; and
 - (2) Local jails acting consistent with standards prescribed by the Tennessee corrections institute may continue to use appropriate policies regarding the wearing of face coverings.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.