HB214
209249-1
By Representative Brown (C)
RFD: Commerce and Small Business
First Read: 02-FEB-21
PFD: 01/29/2021
SYNOPSIS: Under existing law, an employer is not prohibited from requiring vaccinations for its employees or from taking adverse action against its employees for refusing to receive a vaccination.

This bill would prohibit an employer from taking adverse action against an employee or prospective employee based on the employee's immunization status.

Under existing law, a ticket issuer for an entertainment event is not prohibited from denying entry to the event based on immunization status.

This bill would also prohibit a ticket issuer from denying entry to an entertainment event based on immunization status.

A BILL

TO BE ENTITLED

AN ACT
Relating to coronavirus vaccine discrimination; to prohibit employers from taking adverse action against employees or prospective employees based on immunization status; and to prohibit ticket issuers from denying entry to entertainment events based on immunization status.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this section, the following terms have the following meanings:

(1) ADVERSE ACTION. To discharge, refuse to promote, demote, harass during the course of employment, or reduce the compensation of an employee.

(2) CORONAVIRUS. Coronavirus disease 2019, commonly abbreviated as "COVID-19," for which the Governor declared a public health emergency on March 13, 2020, or any mutation thereof that is declared a public health emergency under the Emergency Management Act.

(3) EMPLOYER. A person in this state that, at any time, employs an individual or individuals who reside in this state to perform services of any nature. The term includes any individual who has control of the payment of wages for services or is the officer, agent, or employee of the individual having control of the payment of wages.

(4) IMMUNIZATION STATUS. The status of either having received or not received a vaccination for coronavirus.

(5) TICKET ISSUER. An individual or entity providing tickets to an entertainment event, including any of the following:
a. The operator of the venue where the entertainment event occurs.

b. The sponsor or promoter of an entertainment event.

c. A sports team participating in an entertainment event or a league whose teams are participating in an entertainment event.

d. A theatre company, musical group, or similar participant in an entertainment event.

e. An agent of any individual or entity described in subdivisions a. through d.

(b)(1) Notwithstanding any other provision of law, an employer may not take adverse action against an employee or refuse to hire prospective employees based on an employee's immunization status.

(2) A current or former employee may pursue a civil cause of action against an employer for any violation of subdivision (1). Available remedies include, but are not limited to, the following:

a. Injunctive relief.

b. Back pay.

c. Punitive damages.

(c) A ticket issuer may not penalize, discriminate against, or deny access to an entertainment event to a ticket holder solely because of the ticket holder's immunization status.
Section 2. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law.