

1 SB9
2 215539-3
3 By Senators Elliott, Givhan, Roberts, Barfoot, Gudger, Weaver,
4 Shelnuttt, Melson, Marsh, Chesteen, Butler, Sessions, Williams,
5 Chambliss, Livingston, Allen, Waggoner, Orr, Scofield and
6 Jones
7 RFD: Finance and Taxation General Fund
8 First Read: 28-OCT-21

2
3
4 ENGROSSED

5
6
7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 Relating to vaccines; to require employers or
12 contractors to allow individuals to claim an exemption from
13 the COVID-19 vaccination for medical reasons or a sincerely
14 held religious belief; to provide for submission of a form
15 requesting the exemption; to authorize claims with the
16 Department of Labor by employers or contractors before
17 terminating an individual on the basis of refusing a vaccine;
18 and to provide an appeal of determinations by the department.
19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. (a) For purposes of this section, the
21 term "vaccination" includes any injection intended to prevent
22 the spread of COVID-19 or minimize the effects of COVID-19,
23 irrespective of whether or not the injection meets the
24 classical definition of vaccine.

25 (b) (1) Any employer or contractor that requires an
26 individual to receive a vaccination as a condition of
27 employment shall provide the individual the opportunity to be

1 exempted from the vaccination mandate by submitting to the
2 employer or contractor the form described in subsection (c).
3 The employer or contractor shall make this form readily
4 available to all individuals to whom this section applies,
5 along with direction for submitting the form for processing.

6 (2) An employer or contractor shall exempt from
7 vaccination as a condition of employment any individual who
8 has properly completed and submitted the exemption form.

9 (c) The exemption form shall read as follows:

10 "Any individual in the State of Alabama who is
11 subject to a requirement that he or she receive one or more
12 COVID-19 vaccinations as a condition of employment may claim
13 an exemption for medical reasons or because the vaccination
14 conflicts with sincerely held religious beliefs.

15 You may request either a medical or a religious
16 exemption from the COVID-19 vaccination by completing this
17 form and submitting the form to your employer.

18 ___ I am requesting exemption from the COVID-19
19 vaccine requirements for medical reasons.

20 ___ I am requesting exemption from the COVID-19
21 vaccine requirements for sincerely held religious beliefs.

22 _____

23 Printed Name

24 _____

25 (Signature and Date)"

26 (d) (1) Except as provided in subdivision (2), an
27 individual may not be terminated on the basis of refusing to

1 receive a vaccination if he or she properly submits a
2 completed exemption form.

3 (2) In order to terminate an individual who has
4 properly submitted a completed form, an employer must file a
5 claim with the Department of Labor and receive a ruling from
6 an examiner, as provided in subdivision (3), that the
7 individual is not entitled to a medical or religious exemption
8 under this section.

9 (3) A determination upon a claim filed by an
10 employer or contractor pursuant to this section shall be made
11 promptly by an examiner designated by the Secretary of Labor.
12 The determination shall include a statement as to whether the
13 claimant is entitled to retain his or her employment.

14 (e) A decision of the examiner under subsection (d)
15 may be appealed to a circuit court of competent jurisdiction.

16 (f) The protections provided by this section are to
17 be liberally construed in favor of the employee.

18 Section 2. This act shall become effective
19 immediately following its passage and approval by the
20 Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10

11
12
13
14
15
16
17

Senate

Read for the first time and referred to the Senate
committee on Finance and Taxation General Fund ... 28-OCT-21

Read for the second time and placed on the calen-
dar with 1 substitute and..... 01-NOV-21

Read for the third time and passed as amended 02-NOV-21

Yeas 26
Nays 5

Patrick Harris,
Secretary.