

1 HB29
2 215195-1
3 By Representatives Hanes, Holmes, Sorrell, Whorton, Pettus and
4 Fincher
5 RFD: Judiciary
6 First Read: 11-JAN-22
7 PFD: 12/07/2021

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8 SYNOPSIS: This bill would provide a private right of
9 action against an employer for any adverse
10 reaction, injury, temporary or permanent
11 disability, or death of an employee arising from an
12 employer mandate that the employee receive a
13 COVID-19 vaccine.

14 This bill would also prohibit this state
15 from recognizing certain federal vaccine mandates.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT

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21 Relating to vaccines; to provide a private right of
22 action against an employer for certain injuries or death
23 resulting from an employer-mandated COVID-19 vaccination of an
24 employee; and to prohibit this state from recognizing certain
25 federal vaccine mandates.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

3 (1) COVID-19. The virus for which the Governor
4 declared a public health emergency on March 13, 2020, or any
5 mutation thereof that results in an epidemic of which a public
6 health state of emergency is declared under the Alabama
7 Emergency Management Act of 1955.

8 (2) EMPLOYEE. An individual who is employed by an
9 employer.

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

16 (b) An employee shall have a private right of action
17 against an employer for any damages caused by an adverse
18 reaction, injury, or temporary or permanent disability arising
19 from an employer mandate that he or she receive a vaccination
20 for COVID-19.

21 (c) A dependent of an employee shall have a private
22 right of action against an employer for the death of the
23 employee arising from an employer mandate that he or she
24 receive a vaccination for COVID-19.

25 (d) This state shall not recognize or observe any
26 federal vaccine mandate implemented after January 1, 2020.

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