HB29
215195-1
By Representatives Hanes, Holmes, Sorrell, Whorton, Pettus and Fincher
RFD: Judiciary
First Read: 11-JAN-22
PFD: 12/07/2021
SYNOPSIS: This bill would provide a private right of action against an employer for any adverse reaction, injury, temporary or permanent disability, or death of an employee arising from an employer mandate that the employee receive a COVID-19 vaccine.

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

A BILL TO BE ENTITLED AN ACT

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

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

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

(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 person who has control of the payment of wages for services or is the officer, agent, or employee of the person having control of the payment of wages.

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

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

(d) This state shall not recognize or observe any federal vaccine mandate implemented after January 1, 2020.
Section 2. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.