

By: Johnson

S.B. No. 93

A BILL TO BE ENTITLED

AN ACT

relating to an exception to the prohibition on COVID-19 vaccine passports.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 161.0085, Health and Safety Code, as added by S.B. No. 968, Acts of the 87th Legislature, Regular Session, 2021, is amended to read as follows:

Sec. 161.0085. COVID-19 VACCINE PASSPORTS PROHIBITED; EXCEPTION.

SECTION 2. Section 161.0085, Health and Safety Code, as added by S.B. No. 968, Acts of the 87th Legislature, Regular Session, 2021, is amended by amending Subsections (c) and (d) and adding Subsection (c-1) to read as follows:

(c) Except as provided by Subsection (c-1), a [A] business in this state may not require a customer to provide any documentation certifying the customer's COVID-19 vaccination or post-transmission recovery on entry to, to gain access to, or to receive service from the business. A business that fails to comply with this subsection is not eligible to receive a grant or enter into a contract payable with state funds.

(c-1) A venue as defined by Section 327.001, Business & Commerce Code, or a business that is permitted or licensed to sell alcoholic beverages at retail for on-premises consumption may require an individual to provide documentation certifying the

1 individual's COVID-19 vaccination status or post-transmission
2 recovery on entry to or to gain access to the venue or business.

3 (d) Notwithstanding any other law and except as provided by
4 Subsection (c-1), each appropriate state agency shall ensure that
5 businesses in this state comply with Subsection (c) and may require
6 compliance with that subsection as a condition for a license,
7 permit, or other state authorization necessary for conducting
8 business in this state.

9 SECTION 3. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect on the 91st day after the last day of the
14 legislative session.