87S30135 KKR-D

By:  Cain H.B. No. 109

A BILL TO BE ENTITLED

AN ACT

relating to exemptions from certain vaccination requirements.

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

SECTION 1.  Chapter 21, Labor Code, is amended by adding Subchapter H-1 to read as follows:

SUBCHAPTER H-1. DISCRIMINATION BASED ON EXEMPTION FROM REQUIRED COVID-19 VACCINATION

Sec. 21.421.  DEFINITION. In this subchapter, "COVID-19" means the 2019 novel coronavirus disease.

Sec. 21.422.  EXEMPTION FROM REQUIRED COVID-19 VACCINATION. An employer, labor organization, or employment agency shall allow an individual to claim an exemption from a required COVID-19 vaccination based on a medical condition or reasons of conscience, including a religious belief.

Sec. 21.423.  PROHIBITED DISCRIMINATION BASED ON EXEMPTION FROM REQUIRED COVID-19 VACCINATION. (a) An employer commits an unlawful employment practice if the employer fails or refuses to hire, discharges, or otherwise discriminates against an individual with respect to the compensation or the terms, conditions, or privileges of employment because the individual claims an exemption described by Section 21.422.

(b)  A labor organization commits an unlawful employment practice if the labor organization excludes or expels from membership or otherwise discriminates against an individual because the individual claims an exemption described by Section 21.422.

(c)  An employment agency commits an unlawful employment practice if the employment agency classifies or refers for employment, fails or refuses to refer for employment, or otherwise discriminates against an individual because the individual claims an exemption described by Section 21.422.

SECTION 2.  Section 224.002(c), Health and Safety Code, is amended to read as follows:

(c)  The policy must [~~may~~] include procedures for a covered individual to be exempt from the required vaccines based on reasons of conscience, including a religious belief.

SECTION 3.  The change in law made by this Act applies only to an unlawful employment practice that occurs on or after the effective date of this Act.

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.