

By: Oliverson

H.B. No. 155

A BILL TO BE ENTITLED

AN ACT

relating to exemptions from COVID-19 vaccine requirements.

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

SECTION 1. Subchapter A, Chapter 161, Health and Safety Code, is amended by adding Section 161.0086 to read as follows:

Sec. 161.0086. EXEMPTIONS FROM COVID-19 VACCINE REQUIREMENTS. (a) In this section, "COVID-19" means the 2019 novel coronavirus disease.

(b) Subject to Section 161.0085 and notwithstanding any other law, any law, policy, or other measure requiring an individual in this state to be vaccinated against COVID-19 to enter or gain access to, receive a service from, or be employed by an establishment must allow the individual to claim an exemption from the vaccination requirement based on:

(1) the individual's acquired immunity against COVID-19 through post-transmission recovery;

(2) a medical condition; or

(3) reasons of conscience, including a religious belief.

(c) An employee of an establishment who is the subject of a violation of Subsection (b) may bring an action in a district court in the county in which the violation occurred for injunctive or equitable relief or for compensatory or punitive damages in the manner prescribed under Subchapter F, Chapter 21, Labor Code, for a

1 violation of that chapter as if the establishment engaged in a
2 discriminatory or unlawful employment practice to which a
3 complainant is entitled to relief under that chapter.

4 (d) A complainant may recover reasonable expenses incurred
5 in bringing an action under Subsection (c), including court costs,
6 attorney's fees, investigation costs, witness fees, and deposition
7 expenses.

8 SECTION 2. Section 161.0086, Health and Safety Code, as
9 added by this Act, applies only to conduct that occurs on or after
10 the effective date of this Act.

11 SECTION 3. This Act takes effect February 1, 2022.