

By: Slaton

H.B. No. 165

A BILL TO BE ENTITLED

AN ACT

relating to employer civil liability for COVID-19 vaccine requirements.

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

SECTION 1. Title 4, Civil Practice and Remedies Code, is amended by adding Chapter 100B to read as follows:

CHAPTER 100B. VACCINATION LIABILITY

Sec. 100B.001. EMPLOYER LIABILITY FOR COVID-19 VACCINE REQUIREMENT. (a) In this section, "immediate family member" means:

(1) a person related to an employee within the first degree of consanguinity or affinity, as determined by Chapter 573, Government Code; and

(2) an employee's sibling.

(b) An employee or the immediate family member of an incapacitated or deceased employee may bring an action against the employee's employer for damages incurred by the employee's injury or death sustained as a result of the employer requiring the employee to receive a vaccine against the 2019 novel coronavirus disease (COVID-19) as a condition of employment.

(c) A court may award a claimant who prevails in an action brought under this section reasonable attorney's fees and costs incurred in bringing the action.

SECTION 2. Section 100B.001, Civil Practice and Remedies Code, as added by this Act, applies to a cause of action that

1 accrues before, on, or after the effective date of this Act.

2           SECTION 3. This Act takes effect on the 91st day after the  
3 last day of the legislative session.