

1 HB16
2 214610-1
3 By Representatives Hanes, Sorrell and Mooney
4 RFD: Judiciary
5 First Read: 11-JAN-22
6 PFD: 09/01/2021

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.

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.

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

1 mutation thereof that results in an epidemic of which a public
2 health state of emergency is declared under the Alabama
3 Emergency Management Act of 1955.

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

6 (3) EMPLOYER. A person in this state that, at any
7 time, employs an individual or individuals who reside in this
8 state to perform services of any nature. The term includes any
9 individual who has control of the payment of wages for
10 services or is the officer, agent, or employee of the
11 individual having control of the payment of wages.

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

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

21 Section 2. This act shall become effective on the
22 first day of the third month following its passage and
23 approval by the Governor, or its otherwise becoming law.