

House Bill 1086

By: Representative Mitchell of the 88th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to
2 general provisions applicable to labor and industrial relations, so as to prohibit mandatory
3 immunizations or vaccination by employers under certain circumstances; to provide for
4 exceptions; to provide for related matters; to provide an effective date; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to general
9 provisions applicable to labor and industrial relations, is amended by adding a new Code
10 section to read as follows:

11 "34-1-8.

12 (a) As used in this Code section, the term:

13 (1) 'Employer' means any private, public, or nonprofit entity who employs for
14 compensation one or more persons.

15 (2) 'Employee' means any person employed by an employer for compensation and shall
16 include part-time and full-time employees, contract personnel, and independent
17 contractors. Such term shall not include volunteers or persons receiving per diem
18 reimbursement without compensation.

19 (b) No employer shall require an employee, as a condition of employment, to obtain a
20 vaccination or provide a certificate of immunization where:

21 (1) The employee submits a signed statement from a licensed physician in this state
22 indicating that, due to the employee's disability or medical condition, the immunization
23 is undesirable; or

24 (2) The employee provides a signed notarized statement that he or she objects on the
25 grounds that the immunization conflicts with the religious beliefs of the employee;

26 provided, however, that the immunization may be required in cases when a disease is in
27 epidemic stages.

28 (c) The provisions of this Code section shall not apply when a state of emergency has been
29 declared and the need for vaccination or certificate of immunization is reasonably related
30 to such declaration.

31 (d) During an epidemic or a threatened epidemic of any disease preventable by an
32 immunization required by an employer, an employee who has not been immunized for such
33 disease may be excluded from the place of employment without pay:

34 (1) Until the employee is immunized against the disease, unless he or she presents valid
35 evidence of prior disease making additional immunization unnecessary; or

36 (2) Until the epidemic or threatened epidemic no longer constitutes a significant public
37 health risk."

38 **SECTION 2.**

39 This Act shall become effective upon its approval by the Governor or upon its becoming law
40 without such approval.

41 **SECTION 3.**

42 All laws and parts of laws in conflict with this Act are repealed.