



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

House: JUD DP 6-4-0-0

HB 2043: employer liability; COVID-19 vaccine requirement

Sponsor: Representative Nguyen, LD 1

Caucus & COW

Overview

States an employer is liable for damages if the employer denies a religious exemption and requires a person to receive a COVID-19 vaccination and significant injury results from receiving the vaccine.

History

Statute specifies that if an employer receives notice from an employee that the employee's sincerely held religious beliefs, practices or observances prevent the employee from receiving the COVID-19 vaccination, the employer must provide reasonable accommodation unless the accommodation would pose an undue hardship and more than a negligible financial cost to the employer's business operations ([A.R.S. § 23-206](#)).

Provisions

1. Makes an employer liable for damages if the employer denies a person's request for a religious exemption from receiving the COVID-19 vaccination, and the following applies:
 - a) the employer requires the person to receive the COVID-19 vaccination as a prerequisite or requirement for maintaining employment; and
 - b) the person suffers from a significant injury caused by receiving the vaccination. (Sec. 1)
2. Outlines how damages are awarded to prevailing claimants, as follows:
 - a) stipulates the claimant must be awarded actual damages, court costs and reasonable attorney fees or statutory damages of \$500,000, whichever is greater; and
 - b) states the claimant may also recover exemplary damages, in addition to the award outlined above. (Sec. 1)
3. Allows the above awards to supplement any other rights and remedies outlined in statute, including workers' compensation claims. (Sec. 1)