

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2316

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 36-685, Arizona Revised Statutes, is amended to
3 read:

4 36-685. Vaccinations; discriminatory practices; prohibitions;
5 exceptions; applicability; definitions

6 A. Any government entity may not require a resident of this state to
7 receive a vaccination for COVID-19 or any variant of COVID-19.

8 B. IT IS AN UNLAWFUL DISCRIMINATORY PRACTICE FOR:

9 1. A PERSON OR A GOVERNMENT ENTITY TO REFUSE, WITHHOLD FROM OR DENY
10 TO A PERSON ANY LOCAL OR STATE SERVICES, GOODS, FACILITIES, ADVANTAGES,
11 PRIVILEGES, LICENSING, EDUCATIONAL OPPORTUNITIES, HEALTH CARE ACCESS OR
12 EMPLOYMENT OPPORTUNITIES BASED ON THE PERSON'S VACCINATION STATUS OR
13 WHETHER THE PERSON HAS AN IMMUNITY PASSPORT.

14 2. AN EMPLOYER TO REFUSE EMPLOYMENT TO A PERSON, TO BAR A PERSON
15 FROM EMPLOYMENT OR TO DISCRIMINATE AGAINST A PERSON IN COMPENSATION OR IN A
16 TERM, CONDITION OR PRIVILEGE OF EMPLOYMENT BASED ON THE PERSON'S
17 VACCINATION STATUS OR WHETHER THE PERSON HAS AN IMMUNITY PASSPORT.

18 3. A PUBLIC ACCOMMODATION TO EXCLUDE, LIMIT, SEGREGATE, REFUSE TO
19 SERVE OR OTHERWISE DISCRIMINATE AGAINST A PERSON BASED ON THE PERSON'S
20 VACCINATION STATUS OR WHETHER THE PERSON HAS AN IMMUNITY PASSPORT.

1 C. A PERSON, GOVERNMENT ENTITY OR EMPLOYER DOES NOT UNLAWFULLY
2 DISCRIMINATE UNDER THIS SECTION IF THE PERSON, GOVERNMENT ENTITY OR
3 EMPLOYER RECOMMENDS THAT AN EMPLOYEE RECEIVE A VACCINE.

4 D. A PERSON MAY NOT BE REQUIRED TO RECEIVE ANY VACCINE FOR WHICH A
5 UNITED STATES FOOD AND DRUG ADMINISTRATION EMERGENCY USE AUTHORIZATION HAS
6 BEEN ISSUED OR ANY VACCINE UNDERGOING SAFETY TRIALS.

7 ~~B.~~ E. ~~Subsection A of~~ This section does not apply to:

8 1. A health care institution ~~that is owned or operated by a~~
9 ~~government entity in this state~~ AS DEFINED IN SECTION 36-401.

10 2. IMMUNIZATION REQUIREMENTS FOR SCHOOL ATTENDANCE PURSUANT TO
11 SECTION 36-672 OR A CHILD CARE FACILITY PURSUANT TO CHAPTER 7.1, ARTICLE 1
12 OF THIS TITLE.

13 ~~C.~~ F. For the purposes of this section: ~~;~~

14 1. "EMPLOYER" MEANS ANY INDIVIDUAL OR TYPE OF ORGANIZATION,
15 INCLUDING THIS STATE AND ALL POLITICAL SUBDIVISIONS OF THIS STATE, THE
16 UNITED STATES, ANY DEPARTMENT OR AGENCY OF THE UNITED STATES, OR A
17 CORPORATION WHOLLY OWNED BY THE GOVERNMENT OF THE UNITED STATES, THAT HAS
18 IN ITS EMPLOY FIFTEEN OR MORE PERSONS PERFORMING SERVICES FOR IT IN
19 EMPLOYMENT FOR EACH WORKING DAY IN EACH OF TWENTY OR MORE CALENDAR WEEKS IN
20 THE CURRENT OR PRECEDING CALENDAR YEAR.

21 2. "Government entity" means this state and any political
22 subdivision of this state that receives and uses tax revenues.

23 3. "IMMUNITY PASSPORT" MEANS A DOCUMENT, DIGITAL RECORD OR SOFTWARE
24 APPLICATION INDICATING THAT A PERSON IS IMMUNE TO A DISEASE, EITHER THROUGH
25 VACCINATION OR INFECTION AND RECOVERY.

26 4. "VACCINATION STATUS" MEANS AN INDICATION OF WHETHER A PERSON HAS
27 RECEIVED ONE OR MORE DOSES OF A VACCINE.

28 Sec. 2. Public policy statement

29 Pursuant to the Tenth Amendment to the United States Constitution and
30 article II, section 3 of the Arizona Constitution, it is declared the
31 public policy of this state to protect the people of Arizona against all
32 laws, orders, regulations, actions or programs that unconstitutionally

1 violate Arizona citizens' fundamental right to work guaranteed by article
2 XXV of the Arizona Constitution, the fundamental right to refuse medical
3 treatment and the right to remain free from nonconsensual bodily
4 invasions."
5 Amend title to conform

BARBARA PARKER

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C: MH