

1 State of Arkansas  
2 94th General Assembly  
3 First Extraordinary Session, 2023  
4

Call Item 3

# A Bill

HOUSE BILL 1002

5 By: Representatives Beaty Jr., Achor, Andrews, Barker, Beck, Bentley, Breaux, Brooks, K. Brown,  
6 Burkes, Joey Carr, John Carr, Cavenaugh, C. Cooper, Cozart, Crawford, Duke, Evans, Fortner, Furman,  
7 Gazaway, Haak, Hawk, D. Hodges, Holcomb, Hollowell, Long, Lundstrum, Lynch, Maddox, McAlindon,  
8 McClure, McGrew, B. McKenzie, McNair, S. Meeks, Milligan, Painter, Puryear, Ray, Richmond, Rose,  
9 Rye, Schulz, M. Shepherd, Underwood, Unger, Vaught, Wardlaw, Warren, Watson, Wing  
10 By: Senators J. Bryant, Irvin, B. Davis, Hester, J. Dotson, Dees, C. Penzo, A. Clark, Crowell, J. English,  
11 Flippo, Gilmore, K. Hammer, Hill, B. Johnson, M. McKee, Stone, D. Sullivan  
12

## For An Act To Be Entitled

14 AN ACT TO PROHIBIT THE GOVERNMENT FROM MANDATING A  
15 VACCINATION OR IMMUNIZATION FOR CORONAVIRUS 2019  
16 (COVID-19) OR ANY SUBVARIANTS OF CORONAVIRUS 2019  
17 (COVID-19), OR BOTH; TO ENSURE THAT THE DEPARTMENT OF  
18 HEALTH MAINTAINS INFORMATION ABOUT POTENTIAL RISKS  
19 AND HARMS OF THE VACCINATION OR IMMUNIZATION FOR  
20 CORONAVIRUS 2019 (COVID-19) AND ANY SUBVARIANTS OF  
21 CORONAVIRUS 2019 (COVID-19); TO REQUIRE AGENCIES THAT  
22 ARE REQUIRED TO MANDATE VACCINATION OR IMMUNIZATION  
23 FOR CORONAVIRUS 2019 (COVID-19) OR ANY SUBVARIANTS OF  
24 CORONAVIRUS 2019 (COVID-19), OR BOTH, TO RECEIVE  
25 NECESSARY FEDERAL FUNDING TO OBTAIN APPROVAL FROM THE  
26 LEGISLATIVE COUNCIL; TO DECLARE AN EMERGENCY; AND FOR  
27 OTHER PURPOSES.  
28

## Subtitle

31 TO PROHIBIT THE GOVERNMENT FROM MANDATING  
32 A VACCINATION OR IMMUNIZATION FOR  
33 CORONAVIRUS 2019 (COVID-19) OR ANY  
34 SUBVARIANTS OF CORONAVIRUS 2019 (COVID-  
35 19), OR BOTH; AND TO DECLARE AN  
36 EMERGENCY.



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3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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5 SECTION 1. Arkansas Code Title 20, Chapter 7, Subchapter 1, is amended  
6 to add an additional section to read as follows:

7 20-7-146. Prohibition on requirement for vaccine or immunization for  
8 coronavirus 2019 (COVID-19) or any subvariants of coronavirus 2019 (COVID-19)  
9 - Definition.

10 (a) As used in this section, "coerce" means:

11 (1) Using physical violence, threats, intimidation, or  
12 retaliation with the purpose of causing a reasonable individual of ordinary  
13 susceptibilities to acquiesce when the individual otherwise would not;

14 (2) Making conditional a private or public benefit, including  
15 without limitation employment, promotion, or another employment benefit, with  
16 the purpose of causing a reasonable individual of ordinary susceptibilities  
17 to acquiesce when the individual otherwise would not; or

18 (3) Using any other means with the purpose of causing a  
19 reasonable individual of ordinary susceptibilities to acquiesce when the  
20 individual otherwise would not.

21 (b) The state, a state agency or entity, a political subdivision of  
22 the state, or a state or local official shall not mandate or require an  
23 individual to receive a vaccine or immunization for coronavirus 2019 (COVID-  
24 19) or any subvariants of coronavirus 2019 (COVID-19), or both.

25 (c) Receiving a vaccine or immunization for coronavirus 2019 (COVID-  
26 19) or any subvariants of coronavirus 2019 (COVID-19), or both, shall not be  
27 a condition of education, employment, entry, or services from the state or a  
28 state agency or entity or for obtaining a licensure, certificate, or permit  
29 from a state agency or entity.

30 (d) The Department of Health shall maintain information and data on  
31 any potential risks and harms associated with the administration of the  
32 vaccine or immunization for coronavirus 2019 (COVID-19) and any subvariants  
33 of coronavirus 2019 (COVID-19), and shall make the information and data  
34 publicly available.

35 (e) The state, a state agency or entity, a political subdivision of  
36 the state, or a state or local official shall not discriminate against or

1 coerce in any way an individual for refusing to receive a vaccine or  
2 immunization for coronavirus 2019 (COVID-19) or any subvariants of  
3 coronavirus 2019 (COVID-19), or both, including without limitation:

4 (1) Coercing an employee into consenting to receive a vaccine or  
5 immunization for coronavirus 2019 (COVID-19) or any subvariants of  
6 coronavirus 2019 (COVID-19), or both;

7 (2) Withholding the opportunity for career advancement from an  
8 employee who does not consent to receiving a vaccine or immunization for  
9 coronavirus 2019 (COVID-19) or any subvariants of coronavirus 2019 (COVID-  
10 19), or both; or

11 (3) Withholding a salary, a wage increase, insurance, or  
12 insurance discounts from an employee who does not consent to receiving a  
13 vaccine or immunization for coronavirus 2019 (COVID-19) or any subvariants of  
14 coronavirus 2019 (COVID-19), or both.

15 (f) If the state, a state agency or entity, a political subdivision of  
16 the state, or a state or local official determines that necessary federal  
17 funding is dependent upon an individual in this state receiving a vaccine or  
18 immunization for coronavirus 2019 (COVID-19) or any subvariants of  
19 coronavirus 2019 (COVID-19), or both, the state, state agency or entity,  
20 political subdivision of the state, or state or local official shall receive  
21 approval from the Legislative Council to mandate or require the individual to  
22 receive a vaccine or immunization for coronavirus 2019 (COVID-19) or any  
23 subvariants of coronavirus 2019 (COVID-19), or both, before mandating or  
24 requiring an individual to receive a vaccine or immunization for coronavirus  
25 2019 (COVID-19) or any subvariants of coronavirus 2019 (COVID-19), or both.

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27 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
28 General Assembly of the State of Arkansas that in April 2023, the United  
29 States Food and Drug Administration found almost all the United States  
30 population who are five (5) years of age and older now have antibodies  
31 against coronavirus 2019 (COVID-19); that the prohibitions concerning  
32 government mandates or requirements for an individual to receive a vaccine or  
33 immunization for coronavirus 2019 (COVID-19) under Arkansas Code § 20-7-143  
34 have expired and citizens of this state have expressed increased concern  
35 regarding the expiration of this state law; that citizens of this state have  
36 still expressed concerns about being forced to receive a vaccination or

1 immunization for coronavirus 2019 (COVID-19) or any subvariants of  
2 coronavirus 2019 (COVID-19) without consideration of their religious,  
3 philosophical, or medical reasons or information about the potential risks  
4 and harms of a vaccine or immunization for coronavirus 2019 (COVID-19) or any  
5 subvariants of coronavirus 2019 (COVID-19); and that this act is immediately  
6 necessary to protect the safety and health of the citizens of this state who  
7 have religious, philosophical, or medical reasons or who have concerns about  
8 the safety of the vaccine or immunization for coronavirus 2019 (COVID-19) or  
9 any subvariants of coronavirus 2019 (COVID-19) and to provide clarity as to  
10 the state law regarding the prohibitions on requirements for an individual to  
11 receive a vaccine or immunization for coronavirus 2019 (COVID-19) or any  
12 subvariants of coronavirus 2019 (COVID-19). Therefore, an emergency is  
13 declared to exist, and this act being immediately necessary for the  
14 preservation of the public peace, health, and safety shall become effective  
15 on:

16 (1) The date of its approval by the Governor;

17 (2) If the bill is neither approved nor vetoed by the Governor,  
18 the expiration of the period of time during which the Governor may veto the  
19 bill; or

20 (3) If the bill is vetoed by the Governor and the veto is  
21 overridden, the date the last house overrides the veto.

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24 **APPROVED: 9/14/23**  
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