

Hall of the House of Representatives
93rd General Assembly - Regular Session, 2021
Amendment Form

Subtitle of House Bill No. 1547

TO GOVERN MANDATORY COVID-19 IMMUNIZATIONS OR VACCINATIONS FOR STUDENTS AND
EMPLOYEES AND REQUIREMENTS FOR A VACCINATION OR IMMUNIZATION FOR COVID-19
EXCEPT IN CERTAIN CONDITIONS; AND TO DECLARE AN EMERGENCY

Amendment No. 4 to House Bill 1547

Amend House Bill No. 1547 as engrossed H3/29/21 (version: 03/29/2021 12:28:14 PM):

Page 1, delete lines 12 through 14, and substitute the following:
"AN ACT TO PROHIBIT THE STATE FROM MANDATING A VACCINE OR IMMUNIZATION FOR
CORONAVIRUS 2019 (COVID-19); TO GOVERN REQUIREMENTS FOR A VACCINE"

AND

Delete the subtitle in its entirety and substitute:

"TO PROHIBIT THE STATE FROM MANDATING A
VACCINE OR IMMUNIZATION FOR CORONAVIRUS
2019 (COVID-19); TO GOVERN REQUIREMENTS
FOR A VACCINE OR IMMUNIZATION FOR
CORONAVIRUS 2019 (COVID-19); AND TO
DECLARE AN EMERGENCY."

AND

Delete SECTIONS 1 through 5 in their entirety, and substitute the following:
"SECTION 1. Arkansas Code Title 20, Chapter 7, Subchapter 1, is amended
to add an additional section to read as follows:

20-7-142. Prohibition on requirement for vaccine or immunization for
coronavirus 2019 (COVID-19).

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

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

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



(B) However, other positive incentives that are above or beyond any expected compensation or benefit of employment shall not be included under the term "coerce"; or

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

(b)(1) The state, a state agency or entity, a political subdivision of the state, or a state or local official shall not mandate or require an individual to receive a vaccine or immunization for coronavirus 2019 (COVID-19).

(2) A state-owned or state-controlled medical facility may offer positive incentives to an individual to receive a vaccine or immunization for coronavirus 2019 (COVID-19).

(3) If a state-owned or state-controlled medical facility desires to mandate or require an individual to receive a vaccine or immunization for coronavirus 2019 (COVID-19), then the state-owned or state-controlled medical facility shall receive approval from the Legislative Council to mandate or require individual to receive a vaccine or immunization for coronavirus 2019 (COVID-19).

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

(d)(1) The Department of Health shall maintain information and data about the safety and efficacy of any vaccine or immunization for coronavirus 2019 (COVID-19) approved by the United States Food and Drug Administration, including without limitation information and data on any risk of harm associated with the administration of the vaccine or immunization, on the department's website.

(2) The information and data described in subdivision (d)(1) of this section shall be presented in a manner that is understandable and accessible to all individuals.

(e) The state, a state agency or entity, a political subdivision of the state, or a state or local official shall not discriminate against or coerce in any way an individual for refusing to receive a vaccine or immunization for coronavirus 2019 (COVID-19), including without limitation:

(1) Coerce an employee into consenting to receive a vaccine or immunization for coronavirus 2019 (COVID-19);

(2) Withhold the opportunity for career advancement from an employee who does not consent to receiving a vaccine or immunization for coronavirus 2019 (COVID-19); or

(3) Withhold a salary, a wage increase, insurance, or insurance discounts from an employee who does not consent to receiving a vaccine or immunization for coronavirus 2019 (COVID-19).

(f) If the state, a state agency or entity, a political subdivision of the state, or a state or local official recommends that an individual in this state receive a vaccine or immunization for coronavirus 2019 (COVID-19), the state, state agency or entity, political subdivision of the state, or state or local official shall provide notice that the recommendation is not mandatory.

(g) This section shall expire two (2) years from the date that the

United States Food and Drug Administration approves the immunization or vaccine for coronavirus 2019 (COVID-19)."

AND

Appropriately renumber the sections of the bill

The Amendment was read _____

By: Representative Lundstrum
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Chief Clerk