

By: Representatives Yancey, Ford (73rd)

To: Public Health and Human Services

HOUSE BILL NO. 1451

1 AN ACT TO PROHIBIT THE STATE OR AN AGENCY, ENTITY OR
 2 POLITICAL SUBDIVISION OF THE STATE OR A STATE OR LOCAL OFFICIAL
 3 FROM MANDATING OR REQUIRING AN INDIVIDUAL TO RECEIVE A VACCINE OR
 4 IMMUNIZATION FOR COVID-19; TO PROVIDE THAT RECEIVING A VACCINE OR
 5 IMMUNIZATION FOR COVID-19 SHALL NOT BE A CONDITION OF EDUCATION,
 6 EMPLOYMENT, ENTRY OR SERVICES FROM THE STATE OR A STATE AGENCY OR
 7 ENTITY OR FOR OBTAINING A LICENSE, CERTIFICATE OR PERMIT FROM A
 8 STATE AGENCY OR ENTITY; TO PROVIDE THAT THE STATE DEPARTMENT OF
 9 HEALTH SHALL MAINTAIN INFORMATION AND DATA ABOUT THE SAFETY AND
 10 EFFICACY OF ANY VACCINE OR IMMUNIZATION FOR COVID-19 APPROVED BY
 11 THE UNITED STATES FOOD AND DRUG ADMINISTRATION; TO PROHIBIT THE
 12 STATE OR AN AGENCY, ENTITY OR POLITICAL SUBDIVISION OF THE STATE
 13 OR A STATE OR LOCAL OFFICIAL FROM DISCRIMINATING AGAINST OR
 14 COERCING IN ANY WAY AN INDIVIDUAL FOR REFUSING TO RECEIVE A
 15 VACCINE OR IMMUNIZATION FOR COVID-19; TO PROVIDE THAT IF THE STATE
 16 OR AN AGENCY, ENTITY OR POLITICAL SUBDIVISION OF THE STATE OR A
 17 STATE OR LOCAL OFFICIAL RECOMMENDS THAT INDIVIDUALS IN THIS STATE
 18 RECEIVE A VACCINE OR IMMUNIZATION FOR COVID-19, THE STATE, STATE
 19 AGENCY OR ENTITY, POLITICAL SUBDIVISION OF THE STATE, OR STATE OR
 20 LOCAL OFFICIAL SHALL PROVIDE NOTICE THAT THE RECOMMENDATION IS NOT
 21 MANDATORY; AND FOR RELATED PURPOSES.

22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

23 **SECTION 1.** Prohibition on requirement for vaccine or
 24 immunization for coronavirus 2019 (COVID-19). (1) As used in
 25 this section, the term "coerce" means:

26 (a) Using physical violence, threats, intimidation or
 27 retaliation with the purpose of causing a reasonable individual of



28 ordinary susceptibilities to acquiesce when the individual
29 otherwise would not;

30 (b) (i) Making conditional a private or public
31 benefit, including, without limitation, employment, promotion or
32 another employment benefit, with the purpose of causing a
33 reasonable individual of ordinary susceptibilities to acquiesce
34 when the individual otherwise would not.

35 (ii) However, other positive incentives that are
36 above or beyond any expected compensation or benefit of employment
37 shall not be included in the term "coerce"; or

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

41 (2) (a) The state, a state agency or entity, a political
42 subdivision of the state, or a state or local official shall not
43 mandate or require an individual to receive a vaccine or
44 immunization for Coronavirus Disease 2019 (COVID-19).

45 (b) A state-owned or state-controlled medical facility
46 may offer positive incentives to an individual to receive a
47 vaccine or immunization for COVID-19.

48 (3) Receiving a vaccine or immunization for COVID-19 shall
49 not be a condition of education, employment, entry or services
50 from the state or a state agency or entity or for obtaining a
51 license, certificate or permit from a state agency or entity.



52 (4) (a) The State Department of Health shall maintain
53 information and data about the safety and efficacy of any vaccine
54 or immunization for COVID-19 approved by the United States Food
55 and Drug Administration, including, without limitation,
56 information and data on any risk of harm associated with the
57 administration of the vaccine or immunization, on the department's
58 website.

59 (b) The information and data described in paragraph (a)
60 of this subsection shall be presented in a manner that is
61 understandable and accessible to all individuals.

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

67 (a) Coerce an employee into consenting to receive a
68 vaccine or immunization for COVID-19;

69 (b) Withhold the opportunity for career advancement
70 from an employee who does not consent to receiving a vaccine or
71 immunization for COVID-19; or

72 (c) Withhold a salary, a wage increase, insurance or
73 insurance discounts from an employee who does not consent to
74 receiving a vaccine or immunization for COVID-19.

75 (6) If the state, a state agency or entity, a political
76 subdivision of the state, or a state or local official recommends



77 that an individual in this state receive a vaccine or immunization
78 for COVID-19, the state, state agency or entity, political
79 subdivision of the state, or state or local official shall provide
80 notice that the recommendation is not mandatory.

81 (7) This section shall be repealed two (2) years from the
82 date that the United States Food and Drug Administration first
83 approved a vaccine or immunization for COVID-19.

84 **SECTION 2.** This act shall take effect and be in force from
85 and after its passage.

