

By: Representative Yancey

To: Public Health and Human Services

HOUSE BILL NO. 1452

1 AN ACT TO PROHIBIT THE STATE OF MISSISSIPPI, A STATE AGENCY
2 OR ENTITY, A POLITICAL SUBDIVISION OF THE STATE, OR A STATE OR
3 LOCAL OFFICIAL FROM IMPOSING VACCINE MANDATES; TO DEFINE THE TERM
4 "COERCE"; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** (1) As used in this act, "coerce" means:

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

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

16 (c) Using any other means with the purpose of causing a
17 reasonable individual of ordinary susceptibilities to acquiesce
18 when the individual otherwise would not. However, other positive
19 incentives that are above or beyond any expected compensation or



20 benefit of employment shall not be included under the term
21 "coerce."

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

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

29 (b) If a state-owned or state-controlled medical
30 facility desires to mandate or require an individual to receive a
31 vaccine or immunization for COVID-19, then the state-owned or
32 state-controlled medical facility shall receive approval from the
33 Legislature to mandate or require the individual to receive a
34 vaccine or immunization for COVID-19.

35 (3) Receiving a vaccine or immunization for COVID-19 shall
36 not be a condition of education, employment, entry, or services
37 from the state or a state agency or entity or for obtaining a
38 licensure, certificate, or permit from a state agency or entity.

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



45 information and data described in this subsection (4) shall be
46 presented in a manner that is understandable and accessible to all
47 individuals.

48 (5) The state, a state agency or entity, a political
49 subdivision of the state, or a state or local official shall not
50 discriminate against or coerce in any way an individual for
51 refusing to receive a vaccine or immunization for COVID-19,
52 including to:

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

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

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

61 (6) If the state, a state agency or entity, a political
62 subdivision of the state, or a state or local official recommends
63 that an individual in this state receive a vaccine or immunization
64 for COVID-19, the state, state agency or entity, political
65 subdivision of the state, or state or local official shall provide
66 notice that the recommendation is not mandatory.

67 **SECTION 2.** (1) If a variant of coronavirus 2019 (COVID-19)
68 occurs and mutates to be a more virulent strain that impacts
69 children within two (2) years from the date that the United States



70 Food and Drug Administration approved the immunization or
71 vaccination for COVID-19, then the Secretary of the Department of
72 Health and the Governor shall request a meeting of the:

73 (a) Senate Committee on Public Health, Welfare and
74 Labor; and

75 (b) House Committee on Public Health, Welfare and
76 Labor.

77 (2) At the meeting described in subsection (1) of this
78 section, the Senate Committee on Public Health, Welfare and Labor
79 and the House Committee on Public Health, Welfare and Labor shall
80 make recommendations regarding vaccination of children.

81 (3) The recommendations shall be presented to the
82 Legislature for approval, and may include a limited suspension of
83 the laws under this act for students and school staff or a
84 complete suspension of the laws under this act. If the
85 recommendations include a suspension of the laws under this act,
86 the standard exemptions for students may continue.

87 **SECTION 3.** This act shall take effect and be in force from
88 and after its passage.

