

By: Representative Eubanks

To: Public Health and Human Services

HOUSE BILL NO. 1454

1 AN ACT TO PROHIBIT ANY COUNTY, MUNICIPALITY STATE AGENCY OR
 2 ENTITY, OR POLITICAL SUBDIVISION OF THE STATE OF MISSISSIPPI FROM
 3 ENACTING ANY EMERGENCY ORDER, ORDINANCE OR MANDATE THAT IMPOSES
 4 RESTRICTIONS UPON BUSINESSES OR INDIVIDUALS DUE TO COVID-19; TO
 5 DEFINE THE TERM "VACCINE PASSPORT"; TO PROHIBIT ANY COUNTY,
 6 MUNICIPALITY, STATE AGENCY OR ENTITY, OR ANY POLITICAL SUBDIVISION
 7 OF THE STATE FROM CREATING A VACCINE PASSPORT OR REQUIRING AN
 8 INDIVIDUAL TO USE A VACCINE PASSPORT IN THE STATE FOR ANY PURPOSE;
 9 TO PROHIBIT THE USE OF A VACCINE PASSPORT AS A CONDITION FOR
 10 ENTRY, TRAVEL, EDUCATION OR SERVICES IN THE STATE; TO PROHIBIT A
 11 BUSINESS FROM REQUIRING AN EMPLOYEE OR INDIVIDUAL TO PROVIDE
 12 DOCUMENTATION CERTIFYING COVID-19 VACCINATION TO GAIN ACCESS TO,
 13 TO GAIN OR MAINTAIN EMPLOYMENT WITH, OR RECEIVE SERVICE FROM THE
 14 BUSINESS; TO PROVIDE THAT A BUSINESS THAT FAILS TO COMPLY WITH THE
 15 PROVISIONS OF THIS ACT IS NOT ELIGIBLE TO RECEIVE A GRANT OR ENTER
 16 INTO A CONTRACT THAT IS PAYABLE WITH STATE FUNDS; AND FOR RELATED
 17 PURPOSES.

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

19 **SECTION 1.** (1) In order to protect the rights and liberties
 20 of individuals in the State of Mississippi, any emergency order,
 21 ordinance, or mandate issued by a county, municipality, state
 22 agency or entity, or political subdivision of the state that
 23 restricts the rights or liberties of individuals or their
 24 businesses due to COVID-19 is prohibited.



25 (2) No county, municipality, state agency or entity, or
26 political subdivision of the state shall renew or enact an
27 emergency order, ordinance, or mandate, using a local state of
28 emergency or using emergency enactment procedures, that imposes
29 restrictions upon businesses or individuals due to COVID-19.

30 **SECTION 2.** (1) As used in this section, "vaccine passport"
31 means documentation that an individual has been vaccinated against
32 COVID-19.

33 (2) No county, municipality, state agency or entity, or any
34 political subdivision of the state, shall create a vaccine
35 passport or require an individual to use a vaccine passport in the
36 State of Mississippi for any purpose.

37 (3) The use of a vaccine passport shall not be a condition
38 for entry, travel, education, or services in the State of
39 Mississippi.

40 **SECTION 3.** (1) A business in the State of Mississippi shall
41 not require an employee or individual to provide any documentation
42 certifying the individual's COVID-19 vaccination or
43 post-transmission recovery on entry to, to gain access to, to gain
44 or maintain employment with, or to receive service from the
45 business.

46 (2) A business that fails to comply with the provisions of
47 this act is not eligible to receive a grant or enter into a
48 contract that is payable with state funds.



49 (3) Notwithstanding any other law to the contrary, each
50 appropriate state agency shall ensure that businesses in the state
51 comply with this act, and may require compliance with this act as
52 a condition for a license, permit, or other state authorization
53 necessary for conducting business in the state.

54 (4) This act shall not be construed to restrict a business
55 from implementing COVID-19 screening and infection control
56 protocols in accordance with state and federal law to protect
57 public health, or interfere with an individual's right to access
58 his or her personal health information under federal law.

59 **SECTION 4.** This act supersedes any existing emergency order,
60 ordinance or mandate issued by a county, municipality, state
61 agency or entity, or any political subdivision of the state, that
62 imposes restrictions upon businesses or individuals due to
63 COVID-19.

64 **SECTION 5.** Nothing in this act shall prohibit a county,
65 municipality, state agency or entity, or political subdivision of
66 the state from enacting ordinances under regular enactment
67 procedures to protect the health, safety, and welfare of its local
68 population.

69 **SECTION 6.** This act shall take effect and be in force from
70 and after its passage.

