SENATE BILL NO. 2045

AN ACT TO CREATE THE ANTI-COVID VACCINE MANDATE ACT; TO PROHIBIT DISCRIMINATION BASED ON A PERSON'S VACCINATION STATUS OR POSSESSION OF AN IMMUNITY PASSPORT; TO PROVIDE THAT A PERSON, BUSINESS ENTITY OR GOVERNMENTAL ENTITY SHALL NOT REQUIRE A PERSON TO RECEIVE A VACCINE THAT IS ALLOWED UNDER AN EMERGENCY USE AUTHORIZATION; TO PROVIDE FOR EXCEPTIONS TO WHAT SHALL BE CONSIDERED AN UNLAWFUL DISCRIMINATORY PRACTICE; AND FOR RELATED PURPOSES.

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

SECTION 1. This act shall be known and may be cited as the "Anti-Covid Vaccine Mandate Act."

SECTION 2. Discrimination based on vaccination status or possession of immunity passport prohibited. (1) For purposes of this act, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "Immunity passport" means a document, digital record or software application indicating that a person is immune to a disease, either through vaccination or infection and recovery.

(b) "Vaccination status" means an indication of whether a person has received one or more doses of a vaccine.
(2) A person, business entity or governmental entity shall not require a person to receive any vaccine.

(3) Except as provided in subsections (4) and (5) of this section, it shall be considered an unlawful discriminatory practice for:

(a) A person, business entity or a governmental entity to refuse, withhold from or deny to a person any local or state services, goods, facilities, advantages, privileges, licensing, educational opportunities, health care access or employment opportunities based on the person's vaccination status or whether the person has an immunity passport;

(b) An employer to refuse employment to a person, to bar a person from employment, or to discriminate against a person in compensation or in a term, condition, or privilege of employment based on the person's vaccination status or whether the person has an immunity passport; or

(c) A public accommodation to exclude, limit, segregate, refuse to serve or otherwise discriminate against a person based on the person's vaccination status or whether the person has an immunity passport.

(4) This section shall not apply to vaccination requirements set forth for schools pursuant to Sections 41-23-37 and 43-20-8, Mississippi Code of 1972.

(5) It shall not be considered an unlawful discriminatory practice for a governmental entity, business entity or individual
to implement reasonable accommodation measures for employees, patients, visitors and other persons who are not vaccinated or not immune to protect the safety and health of employees, patients, visitors and other persons from communicable diseases.

SECTION 3. This act shall take effect and be in force from and after July 1, 2022.