

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 50, relative to discrimination.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 21, Part 5, is amended by adding the following as a new section:

- (a) Except as otherwise provided in this chapter, it is a discriminatory practice for a person or entity to deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation by requiring individuals to receive a vaccine or immunization or to provide information on an individual's status of vaccination or immunization by any means, including, but not limited to, verbally, digitally, by printed form, or through a third-party application or software.
- (b) Except for an immunization, vaccination, or injection related to the SARS-CoV-2 virus or any variant of the SARS-CoV-2 virus, this section does not apply to public or private schools including places of higher education as it pertains to immunization requirements.
- (c) Any person shall have a civil cause of action against any person or entity who violates the discrimination policies set forth in this section.

An action commenced pursuant to this section may seek appropriate injunctive relief or damages for each violation of this section.

SECTION 2. Tennessee Code Annotated, Title 50, Chapter 1, Part 3, is amended by adding the following as a new section:

- (a) No employer may require an immunization, vaccine, or injection related to the SARS-CoV-2 virus or any variant of the SARS-CoV-2 virus as a condition of employment.

- (b) No employer may create a conditional set of benefits or restrictions or require any alternative work environments for employees who have not received an immunization, vaccine, or injection related to the SARS-CoV-2 virus or any variant of the SARS-CoV-2 virus.
- (c) No employer may require an employee to provide a status of immunization or vaccination for the SARS-CoV-2 virus or any variant of the SARS-CoV-2 virus by any means, including, but not limited to, verbally, digitally, by printed form, or through a third-party application or software.
- (d) An employee shall have a civil cause of action against any person or employer that violates the employee protections set forth in this section, or that causes a disciplinary action or threat of disciplinary action against said employee.

An action commenced pursuant to this section may seek appropriate injunctive relief or damages including, but not limited to, reinstatement to the employee's former position, payment of back wages, reinstatement of benefits, and compensatory and punitive damages for each violation of this section.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.