

HOUSE OF REPRESENTATIVES

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2021 SPECIAL SESSION
Unofficial Document

Amend printed copy of **SB 3/GA**

On page 2, after line 7, by inserting the following:

- "(3) No person or entity shall be eligible to receive funding, products procured by funding, or services procured by funding, directly or indirectly, which have been appropriated under subsection (1) or (2) of this section, if the person or entity has a policy in effect on or after September 24, 2021, of requiring an immunization for SARS-CoV-2 for any person or applicable to any contractor or its employees, without allowing for exemptions from that policy on the basis of conscientious objection. This subsection shall not apply to entities which are subject to the federal mandatory vaccine directive for long-term care facilities.
- (4) No person or entity shall be eligible to receive funding, products procured by funding, or services procured by funding, directly or indirectly, which have been appropriated under subsection (1) or (2) of this section, if the person or entity had a policy in effect of requiring an immunization for SARS-CoV-2 for any person, terminated or caused the termination of the employment of, or otherwise disciplined or caused the discipline of, any person for failing to comply with that policy who objected at any time to the policy on the basis of conscientious objection, and failed to rehire that person or expunge the discipline prior to the receipt of funds, goods, or services. This subsection shall not apply to entities which are subject to the federal mandatory vaccine directive for long-term care facilities.
- (5) Any employee, contractor, or otherwise affected person shall have a private right of action

Amendment No. HFA 1

Rep. Rep. Savannah Maddox

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

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to enforce the restrictions in subsections (3) and (4), which may be brought in the county where the business or employer or entity is located, or the county where the employee, contractor, or otherwise affected person resides. Any person or entity that receives funding, products procured by funding, or services procured by funding appropriated under subsection (1) or (2) of this section shall be deemed to consent to the restrictions herein; upon the showing of a violation, the Circuit Court shall order appropriate injunctive relief including expungement of discipline, reinstatement of employment, back pay, forfeiture of some or all of the funding, products procured by funding, or services procured by funding, directly or indirectly, which have been appropriated under subsection (1) or (2) of this section as a penalty, and reasonable attorney fees and costs. This subsection shall not apply to entities which are subject to the federal mandatory vaccine directive for long-term care facilities."