

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2022 REGULAR SESSION
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Amend printed copy of **HB 3/SCS 1**

On page 64, after line 6, insert the following:

"➔SECTION 32. A NEW SECTION OF KRS CHAPTER 344 IS CREATED TO READ AS FOLLOWS:

(1) As used in this section:

(a) "Immunization status" means the status of either having received or not having received a vaccination against COVID-19, the novel coronavirus identified as SARS-CoV-2, or a virus mutating from SARS-CoV-2, or any variant of SARS-CoV-2; and

(b) "Public entity" means the Commonwealth of Kentucky, a county, city, urban-county government, consolidated local government, unified local government, or charter county government, or any of their agencies or departments, or a public agency as defined in KRS 7.107.

(2) No public entity shall require an employee, as a condition of employment, to:

(a) Be immunized against disease;

(b) Provide proof of immunization status against disease; or

(c) Submit to any type of medical procedure or treatment, including but not limited to any type of vaccination or testing.

(3) No public entity shall, without the express written consent of the individual affected:

Amendment No. SFA

Rep. Sen. Adrienne Southworth

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

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- (a) Disclose an individual's immunization status, medical testing status, or other medical information to a third party for a purpose other than healthcare; or
- (b) Otherwise publish or share any individual's immunization status or similar health information for a purpose other than healthcare.
- (4) Nothing in this section shall be used to restrict access to services provided by a public entity on the basis of an individual:
- (a) Providing, or failing to provide, proof of immunization status against disease; or
- (b) Providing, or failing to provide, written consent for release of medical records or any other record relating to that individual's immunization status.
- ➔SECTION 33. A NEW SECTION OF KRS CHAPTER 446 IS CREATED TO READ AS FOLLOWS:
- (1) As used in this section, "religion" shall have the same meaning as in KRS 344.030.
- (2) Any employer that requires an employee, as a condition of employment, to be immunized against disease shall:
- (a) Grant an exemption to any employee based upon the employee's religion upon the employee's written statement; and
- (b) Provide notice of the required immunization to each employee in a written document that:
1. Advises in plain language the available exemption from the required immunization based upon the employee's religion; and
2. Requires each employee to acknowledge, in writing, receipt of the requirement and receipt of the available exemption.
- (3) Any person injured by any act in violation of the provisions of this section shall have a civil cause of action in the Circuit Court of the county in which the person resides to

enjoin further violations, and to recover the actual damages sustained, including reasonable attorney's fees, together with the costs of the action."; and

On page 64, line 7, delete "32" and insert in lieu thereof "34"; and

On page 64, delete line 11 in its entirety and insert the following in lieu thereof:

"Section 35. Sections 1 to 31 of this Act may be cited as the Humanity in Healthcare Act of 2022."; and

On page 64, line 12, delete "34" and insert in lieu thereof "36"; and

On page 64, line 13, after the word "life", insert "and the freedoms of life".