

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM  
2022 REGULAR SESSION  
**Unofficial Document**

Amend printed copy of **HB 499/SCS 1**

On page 13, after line 10 insert the following:

"➔SECTION 10. 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 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:**

- (a) Disclose an individual's immunization status, medical testing status, or other**

Amendment No. SFA 2

Rep. Sen. Adrienne Southworth

Committee Amendment \_\_\_\_\_

Signed: \_\_\_\_\_

Floor Amendment \_\_\_\_\_

LRC Drafter: \_\_\_\_\_

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Rejected: \_\_\_\_\_

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- 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 11. 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

Renumber the subsequent sections accordingly; and

On page 13, line 11, delete "This" and insert in lieu thereof "Sections 1 to 9 of this".