

AN ACT concerning COVID-19, immunizations, and discrimination and supplementing Title 10 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. Notwithstanding any law, rule, regulation, or executive order to the contrary, it shall be unlawful to ask any individual if the individual has received a coronavirus disease 2019 (COVID-19) vaccine, to require any individual to receive a COVID-19 vaccine, or to require any individual to show proof of having received a COVID-19 vaccine as a condition of or as a prerequisite to:

- (1) the exercise of any privilege or right granted under State or federal law;
- (2) conducting any business or commerce;
- (3) travelling to, outside, or within the State;
- (4) obtaining or maintaining an internship, obtaining or maintaining employment, or receiving a promotion from an employer;
- (5) participation in any governmental or political activity;
- (6) admission or enrollment into any child or adult day care program;
- (7) admission to, enrollment in, or graduation from a preschool program, elementary or secondary school, college, university, or any other institution of education;
- (8) participation in any activity, internship, opportunity, program, or sport offered by a preschool program, elementary or secondary school, college, university, or any other institution of education;
- (9) receiving adequate dental care or health care;
- (10) maintaining, receiving, or renewing a professional certification or license;
- (11) obtaining or renewing membership in any professional organization;
- (12) entrance into or service from any place of business, including, but not limited to, any market, restaurant, or store;
- (13) entrance into and service from any public building, office, or structure;
- (14) entrance into and use of any public park or beach; or
- (15) admission into or service from any amusement park, concert venue, theater, or sporting event.

b. It shall be unlawful to discriminate against or to take any adverse action against any individual who has not received a COVID-19 vaccine or who does not disclose whether the individual has received a COVID-19 vaccine.

2. An individual who violates the provisions of this act shall, in addition to any other relief authorized by law, be liable for civil damages to the victim in the amount of \$25,000 in an action brought in the Superior Court in the county where the offense occurred. In addition to an award of civil damages, the court shall order the

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defendant to pay such attorney's fees or expenses, or both, that are actually and reasonably incurred by the victim who is the successful party in the action.

3. This act shall take effect immediately.

STATEMENT

This bill prohibits discrimination against individuals who have not received a COVID-19 vaccine.

Under the bill, it is to be unlawful to ask any individual if the individual has received a coronavirus disease 2019 (COVID-19) vaccine, to require any individual to receive a COVID-19 vaccine, or to require any individual to show proof of having received a COVID-19 vaccine as a condition of or as a prerequisite to:

- (1) the exercise of any privilege or right granted under State or federal law;
- (2) conducting any business or commerce;
- (3) travelling to, outside, or within the State;
- (4) obtaining or maintaining an internship, obtaining or maintaining employment, or receiving a promotion from an employer;
- (5) participation in any governmental or political activity;
- (6) admission or enrollment into any child or adult day care program;
- (7) admission in, enrollment in, or graduation from a preschool program, elementary or secondary school, college, university, or any other institution of education;
- (8) participation in any activity, internship, opportunity, program, or sport offered by a preschool program, elementary or secondary school, college, university, or any other institution of education;
- (9) receiving adequate dental care or health care;
- (10) maintaining, receiving, or renewing a professional certification or license;
- (11) obtaining or renewing membership in any professional organization;
- (12) entrance into or service from any place of business, including, but not limited to, any market, restaurant, or store;
- (13) entrance into and service from any public building, office, or structure;
- (14) entrance into and use of any public park or beach; or
- (15) admission into or service from any amusement park, concert venue, theater, or sporting event.

The bill provides that it is to be unlawful to discriminate against or to take any adverse action against any individual who has not received a COVID-19 vaccine or who does not disclose whether the individual has received a COVID-19 vaccine. An individual who violates the provisions of this bill is to, in addition to any other relief

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authorized by law, be liable for civil damages to the victim in the amount of \$25,000 in an action brought in the Superior Court in the county where the offense occurred. In addition to an award of civil damages, the court is to order the defendant to pay such attorney's fees or expenses, or both, that are actually and reasonably incurred by the victim who is the successful party in the action.

Prohibits discrimination against individuals who have not received COVID-19 vaccine.

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