AN ACT

Providing for exemption to COVID-19 vaccine requirement.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Short title.

This act shall be known and may be cited as the COVID-19 Vaccine Exemption Options Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"COVID-19." The coronavirus disease 2019, an infectious disease caused by severe acute respiratory syndrome coronavirus 2 that was first identified during December 2019 in Wuhan, China.

"COVID-19 vaccine." A vaccine for COVID-19 that has received an emergency use authorization or approval from the United States Food and Drug Administration.
"Government entity." The Governor, a State agency, a State board or commission, the General Assembly, a legislative agency, a court of the Commonwealth or any other entity or office of the unified judicial system, a county executive or a governing body of a political subdivision.

"Place of public accommodation." A facility or location that is open to the public without regard to whether a member of the public intends to purchase an item or procure a service at the facility or location.

"Political subdivision." Any county, city, borough, incorporated town, township, school district, intermediate unit, vocational school district or county institution district.

"Private entity." A for-profit or not-for-profit entity or organization that is open to the public at large or operates a workplace for employees of the entity or organization.

Section 3. Exemption to COVID-19 vaccine requirement.

Except as otherwise provided under Federal law, a private entity, government entity or place of public accommodation that is required by a State or local regulation, order, ordinance or other directive to impose a COVID-19 vaccine requirement on any employee, customer, patron, client, agent, invitee, patient or other individual may exempt the same from the COVID-19 vaccine requirement if the employee, customer, patron, client, agent, invitee, patient or other individual furnishes any of the following:

(1) Proof from a physician of being previously infected with COVID-19 within one year from the date when the COVID-19 vaccine requirement applies to the individual.

(2) Serology test results verifying that the individual possesses COVID-19 antibodies.
(3) Negative test results from a COVID-19 test administered within 14 days from the date when the COVID-19 vaccine requirement applies to the individual. If the individual has regular and ongoing contact with the private entity, government entity or place of public accommodation, the private entity, government entity or place of public accommodation may require the individual to submit negative test results from a COVID-19 test every 14 days.

Section 4. Expiration.

This act shall expire November 30, 2024.

Section 5. Effective date.

This act shall take effect immediately.