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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2077 Session of  
2021

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INTRODUCED BY SCHEMEL, NOVEMBER 12, 2021

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REFERRED TO COMMITTEE ON HEALTH, NOVEMBER 12, 2021

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AN ACT

1 Providing for exemption to COVID-19 vaccine requirement.

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

4 Section 1. Short title.

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

7 Section 2. Definitions.

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

11 "COVID-19." The coronavirus disease 2019, an infectious  
12 disease caused by severe acute respiratory syndrome coronavirus  
13 2 that was first identified during December 2019 in Wuhan,  
14 China.

15 "COVID-19 vaccine." A vaccine for COVID-19 that has received  
16 an emergency use authorization or approval from the United  
17 States Food and Drug Administration.

18 "Government entity." The Governor, a State agency, a State

1 board or commission, the General Assembly, a legislative agency,  
2 a court of the Commonwealth or any other entity or office of the  
3 unified judicial system, a county executive or a governing body  
4 of a political subdivision.

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

9 "Political subdivision." A county, city, borough,  
10 incorporated town, township, school district, intermediate unit,  
11 vocational school district or county institution district.

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

15 Section 3. Exemption to COVID-19 vaccine requirement.

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

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

28 (2) Serology test results verifying that the individual  
29 possesses COVID-19 antibodies.

30 (3) Negative test results from a COVID-19 test.

1 Section 4. Construction.

2 Nothing in this act shall be construed to affect the  
3 authority of a State agency, State official, local governing  
4 body or local official to issue or enact a State or local  
5 regulation, order, ordinance or other directive to impose a  
6 COVID-19 vaccine requirement of any kind.

7 Section 5. Expiration.

8 This act shall expire November 30, 2023.

9 Section 6. Effective date.

10 This act shall take effect immediately.