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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1478 Session of  
2021

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INTRODUCED BY HEFFLEY, BERNSTINE, DIAMOND, DOWLING, GILLEN,  
GREGORY, GREINER, GROVE, HAMM, HELM, JAMES, KAUFFMAN, KERWIN,  
KNOWLES, M. MACKENZIE, E. NELSON, OWLETT, PICKETT, RADER,  
RYAN, SMITH, STAATS AND BOROWICZ, MAY 24, 2021

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REFERRED TO COMMITTEE ON HEALTH, MAY 24, 2021

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AN ACT

1 Prohibiting COVID-19 vaccine information on identification cards  
2 and proof of receipt of COVID-19 vaccine; and providing for  
3 civil cause of action.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the COVID-19  
8 Vaccine Antidiscrimination Act.

9 Section 2. Definitions.

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

13 "Business entity." A for-profit, nonprofit or not-for-profit  
14 entity or organization that is open to the public at large or  
15 where entrance is limited by a cover charge or membership  
16 requirement.

17 "COVID-19." The novel coronavirus identified in the

1 Governor's proclamation of disaster emergency issued on March 6,  
2 2020, published at 50 Pa.B. 1644 (March 21, 2020).

3 "COVID-19 vaccine." A vaccine for COVID-19 that has received  
4 an emergency use authorization from the United States Food and  
5 Drug Administration.

6 "Government authority." The Governor, a State agency, a  
7 State board or commission, a county executive or a governing  
8 body of a municipality.

9 "Identification card." A physical or electronic  
10 identification card on which identification data and vaccination  
11 data is stored for purposes of demonstrating vaccination status.

12 "Place of public accommodation." A facility or location that  
13 is open to the public without regard to whether or not a member  
14 of the public intends to purchase an item or procure a service  
15 at the facility or location.

16 Section 3. COVID-19 vaccine information on identification cards  
17 prohibited.

18 A government authority may not include information on an  
19 identification card or electronic tracking system regarding  
20 whether the holder of the identification card has received a  
21 COVID-19 vaccine.

22 Section 4. Proof of receipt of COVID-19 vaccine prohibited.

23 (a) Prohibition.--A business entity, government authority or  
24 place of public accommodation may not require a customer,  
25 patron, client, patient or other individual who is an invitee  
26 onto the premises of the business entity, government authority  
27 or place of public accommodation to furnish proof of having  
28 received a COVID-19 vaccine prior to entering onto the premises.

29 (b) Contracts.--A government authority may not issue a  
30 grant, award a contract or renew a contract utilizing

1 Commonwealth funds with a business entity, another government  
2 authority or a place of public accommodation that violates  
3 subsection (a) on or after the effective date of this act.

4 Section 5. Civil cause of action.

5 (a) Cause of action established.--An individual may bring  
6 a civil cause of action for a violation of this act to recover  
7 damages as a result of the violation.

8 (b) Damages.--A court of competent jurisdiction shall award  
9 damages to an individual for a violation of this act as follows:

10 (1) For a first violation, \$500.

11 (2) For a second violation, \$2,500.

12 (3) For a third or subsequent violation, \$5,000.

13 (c) Other remedies preserved.--Nothing in this section shall  
14 be construed to limit the ability of an individual to seek any  
15 other criminal or civil remedies available under the laws of  
16 this Commonwealth.

17 Section 6. Construction.

18 Nothing in this act shall be construed to prohibit a business  
19 entity, government authority or place of public accommodation  
20 from implementing a COVID-19 screening protocol that does not  
21 require an individual to provide proof of having received a  
22 COVID-19 vaccine.

23 Section 7. Effective date.

24 This act shall take effect immediately.