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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1986 Session of  
2021

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INTRODUCED BY SCHEMEL, RYAN, RAPP, COX, GROVE, R. BROWN, JONES,  
HERSHEY, SCHLEGEL CULVER, MOUL, GLEIM, HAMM, MALONEY,  
ZIMMERMAN, KAUFFMAN AND MILLARD, OCTOBER 22, 2021

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REFERRED TO COMMITTEE ON HEALTH, OCTOBER 22, 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.

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

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

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

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

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

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

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

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

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

9 Section 4. Expiration.

10 This act shall expire November 30, 2024.

11 Section 5. Effective date.

12 This act shall take effect immediately.