

HOUSE BILL 699

P4, L6
HB 799/22 – HGO

3lr2545

By: **Delegates M. Morgan, Arian, Baker, Chisholm, Ciliberti, Fisher, Ghrist, Grammer, Hornberger, Howard, Kipke, Mangione, McComas, Miller, T. Morgan, Nawrocki, Otto, Schmidt, Szeliga, Tomlinson, and Wivell**
Introduced and read first time: February 6, 2023
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State and Local Government – Proof of Vaccination for Employees and**
3 **Applicants for Employment – Prohibition**
4 **(Vaccination by Choice Act)**

5 FOR the purpose of prohibiting the State and the political subdivisions in the State from
6 requiring an applicant for employment or an employee to provide proof of vaccination
7 against COVID–19 as a condition for employment; and generally relating to
8 employment in State and local government and vaccination requirements.

9 BY adding to
10 Article – Local Government
11 Section 1–207
12 Annotated Code of Maryland
13 (2013 Volume and 2022 Supplement)

14 BY adding to
15 Article – State Personnel and Pensions
16 Section 2–312
17 Annotated Code of Maryland
18 (2015 Replacement Volume and 2022 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Local Government**

22 **1–207.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (A) IN THIS SECTION, “COVID-19” MEANS, INTERCHANGEABLY AND
2 COLLECTIVELY, THE CORONAVIRUS KNOWN AS COVID-19 OR 2019-NCoV AND THE
3 SARS-CoV-2 VIRUS.

4 (B) THIS SECTION APPLIES TO THE FOLLOWING GOVERNMENTAL ENTITIES:

5 (1) COUNTIES;

6 (2) MUNICIPALITIES;

7 (3) BICOUNTY AGENCIES;

8 (4) COUNTY BOARDS OF EDUCATION;

9 (5) PUBLIC CORPORATIONS;

10 (6) SPECIAL TAXING DISTRICTS; AND

11 (7) ANY OTHER POLITICAL SUBDIVISIONS IN THE STATE.

12 (C) A GOVERNMENTAL ENTITY MAY NOT REQUIRE AN APPLICANT FOR
13 EMPLOYMENT OR AN EMPLOYEE TO PROVIDE PROOF OF VACCINATION AGAINST
14 COVID-19 AS A CONDITION FOR EMPLOYMENT.

15 Article – State Personnel and Pensions

16 2-312.

17 (A) IN THIS SECTION, “COVID-19” MEANS, INTERCHANGEABLY AND
18 COLLECTIVELY, THE CORONAVIRUS KNOWN AS COVID-19 OR 2019-NCoV AND THE
19 SARS-CoV-2 VIRUS.

20 (B) THIS SECTION APPLIES TO ALL UNITS IN THE EXECUTIVE, JUDICIAL,
21 AND LEGISLATIVE BRANCHES OF STATE GOVERNMENT, INCLUDING ALL UNITS WITH
22 INDEPENDENT PERSONNEL SYSTEMS.

23 (C) A UNIT OF STATE GOVERNMENT MAY NOT REQUIRE AN APPLICANT FOR
24 EMPLOYMENT OR AN EMPLOYEE TO PROVIDE PROOF OF VACCINATION AGAINST
25 COVID-19 AS A CONDITION FOR EMPLOYMENT.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2023.