

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2117 - SB 2156

February 23, 2022

SUMMARY OF BILL: Requires that an employer who mandates that employees receive a drug, device, or biological product authorized by an emergency use authorization by the FDA must grant employees reasonable accommodation and exemption to the policy if an employee has a religious objection. Allows an employer to request the employee to provide a signed affidavit regarding their religious objection, if the employer has reason to question the sincerity of the objection, but the employer may not request one from each employee requesting an exemption. Allows an employee to bring cause of action in circuit or chancery court against an employer who does not grant the exemption.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Any increase in the number of cases in the court system is estimated to be not significant and can be handled within existing court resources.
- Any claim regarding the proposed legislation that is filed in circuit or chancery court is assumed to be a private right of action for injunctive relief and to recover compensatory damages and reasonable attorneys' fees against the alleged violator. Therefore, any impact will be borne by private parties.
- Currently, federal law mandates critical healthcare workers at facilities receiving funds from Medicaid and Medicare to receive the COVID-19 vaccine. Federal law provides for a medical or religious belief exemption to the mandate. It is assumed any employer of critical healthcare workers is following federal mandate guidelines and will not be in jeopardy of losing federal funds by complying with the proposed legislation.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- The provisions of the proposed legislation will not result in any significant impact to jobs or commerce in Tennessee.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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