

HOUSE BILL 2117

By Ragan

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 14 and Title 50, relative to civil rights.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 1, Part 3, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Employee" means a natural person who performs services for an employer for valuable consideration;

(2) "Employer" means a person, association, or legal or commercial entity receiving services from an employee and, in return, giving compensation of any kind to the employee;

(3) "Medical procedure" means a drug, device, or biological product for which use is authorized by an emergency use authorization from the United States food and drug administration and includes the COVID-19 vaccine, as defined in § 14-1-101; and

(4) "Reasonable accommodation" does not include:

(A) Discharging or threatening to discharge the employee; or

(B) Reducing the employee's hours, compensation, or benefits.

(b) An employer that requires an employee to receive a medical procedure, or provide proof that the employee has received a medical procedure, must grant the employee an exemption to the policy if the employee has a religious objection to the medical procedure. The employer must provide a reasonable accommodation to the employee.

(c) If an employer has reason to question the sincerity of an employee's religious objection to a medical procedure, then the employer may request the employee to provide a signed affidavit regarding the employee's religious objection. Upon receipt of the affidavit, the employer must comply with the requirements of subsection (b). This subsection (c) does not permit an employer to require a signed affidavit from each employee that wishes to obtain an exemption pursuant to subsection (b).

(d)

(1) An employee may bring a cause of action against an employer that has acted in violation of this section to enjoin future acts in violation of this section and to recover economic damages plus reasonable attorney fees and costs.

(2) Any action brought under this section must be filed in the chancery or circuit court having jurisdiction in the county where the alleged violation of this section occurred.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.