

The COVID Freedom Act

AN ACT prohibiting the requirement of vaccinations by certain public and private entities, keeping the Capitol and legislative proceedings open to the public, protecting the freedom of worship, protecting the operation of private businesses, and prohibiting stay-at-home orders and curfews.

Be it enacted by the Legislature of the State of [State]:

Sec. 1. Definitions. As used in this act:

(a) “Business entity” means any person or group of persons performing or engaging in any activity, enterprise, profession or occupation for gain, benefit, advantage or livelihood, whether for profit or not-for-profit. “Business entity” shall include, but not be limited to:

(1) Self-employed individuals, business entities filing articles of incorporation, partnerships, limited partnerships, limited liability companies, foreign corporations, foreign limited partnerships, foreign limited liability companies authorized to transact business in this state, business trusts and any business entity that registers with the secretary of state.

(2) Any business entity that possesses a business license, permit, certificate, approval, registration, charter or similar form of authorization issued by the state, any business entity that is exempt by law from obtaining such a business license, and any business entity that is operating unlawfully without such a business license.

(b) “Vaccination” means the introduction of a vaccine into the body to produce immunity to a specific disease or virus.

(c) “Ticket issuer” means an individual or entity providing tickets to an entertainment event, including any of the following:

(1) The operator of the venue where the entertainment event occurs.

(2) The sponsor or promoter of an entertainment event.

(3) A sports team participating in an entertainment event or a league whose teams are participating in an entertainment event.

(4) A theatre company, musical group, or similar participant in an entertainment event.

(5) An agent of any individual or entity described in subsections (1) through (4).

Sec. 2. Vaccination requirements prohibited.

(a) A business entity doing business in the State of [State] shall not refuse to provide any service, product, admission to a venue, or transportation to a person because that person has or has not received a vaccination.

(b) A ticket issuer shall not penalize, discriminate against, or deny access to an entertainment event to a ticket holder because the ticket holder has or has not received a vaccination.

(c) No state, county, or local government entity or official in this state may require any person to receive a vaccination, with the following excepted persons:

(1) Students or faculty of a public primary or secondary school, unless in the case of a student, the student’s parent or guardian objects by a written statement to the vaccination.

(d) No state, county, or local government entity or official in this state may require any to receive a vaccination as a condition for:

(1) receipt of any government benefit;

(2) receipt of any government services;

- (3) receipt of any government-issued license or permit;
- (4) entrance into any public building; or
- (5) use of public transportation.

(e) No state, county, or local government entity or official in this state shall provide any special privilege, financial benefit, or other incentive to any person for receiving a vaccination.

(f) Violation of any provision of this section is a severity level [7], nonperson felony.

(g) On a finding of the violation of subsection (a) or subsection (b) by a business entity, the court shall order the suspension of all licenses issued by the state or any subdivision of the state that are held by the business entity for a minimum of thirty days and a maximum of one year.

Sec. 3. Freedom of worship.

(a) No state, county, or local government entity or official may in any way restrict the manner of any worship service or activity in this state.

(b) No state, county, or local government entity or official may suspend, regulate, or prohibit the conduct of any worship service or activity in this state, regardless of whether the worship service or activity is conducted inside a building, inside a temporary structure, or outdoors.

(c) No state, county, or local government entity or official may limit the number of participants of any worship service or activity in this state, other than by enforcing limitations on the number of persons in a building imposed by fire codes.

Sec. 4. The Capitol building open to the public.

(a) The Capitol building of this state shall be open to the public between the hours of [8:00] A.M. and [5:00] P.M. on all weekdays, with the exception of public holidays.

(b) All meetings of all legislative committees shall be open to the public, and no restriction on the number of members of the public present in any meeting room shall operate to restrict the number of members of the public to less than [fifteen] persons.

(c) All meetings of the House of Representatives in the House Chamber shall be open to the public, and no restriction on the number of members of the public present in the House gallery shall operate to restrict the number of members of the public to less than [fifty] persons.

(d) All meetings of the Senate in the Senate Chamber shall be open to the public, and no restriction on the number of members of the public present in the Senate gallery shall operate to restrict the number of members of the public to less than [fifty] persons.

Sec. 5. Business activities protected.

(a) No state, county, or local government entity or official may restrict any business activity in this state in a manner that prevents a business entity from providing its products or services to the public, provided that the business entity possesses all applicable licenses and permits to do business in this state. This provision supersedes any emergency powers exercised by the governor pursuant to [statutory location].

(b) No regulation of business activity imposed by the governor pursuant to the governor's emergency powers in [statutory location] shall have a duration of more than thirty days.

(c) Any regulation of business activity imposed by the governor pursuant to the governor's emergency powers in [statutory location] may be terminated by a majority vote of either chamber of the legislature.

Sec. 6. Stay-at-home orders and curfews prohibited.

(a) No state, county, or local government entity or official may require that a United States citizen remain at home. This provision supersedes any emergency powers exercised by the governor pursuant to *[statutory location]*.

(b) No state, county, or local government entity or official may impose upon a United States citizen any curfew based on an epidemic or other public health reason. This provision supersedes any emergency powers exercised by the governor pursuant to *[statutory location]*.

Sec. 7. Severability.

The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, that declaration shall not affect the part which remains.