Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

DISCRIMINATION: Prohibits discrimination by government agencies and officials on the basis of vaccination or immunity status

To enact R.S. 49:186, relative to discrimination based on vaccination or immunity status; to prohibit state and local government agencies and officials from discriminating between individuals based on such status; to provide for enforcement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 49:186 is hereby enacted to read as follows:

§186. Discrimination based on vaccination or immunity status prohibited

A. Except as provided in Subsection C of this Section, no official, governing authority, or agency of the state or of any political subdivision of the state shall, in executing any of its programs, policies, duties, or functions, distinguish between individuals based on whether a person has or has not had a vaccination or whether a person is or is not immune to a virus.

B. Actions prohibited by Subsection A include but are not limited to discrimination based on a person's vaccination or immunity status in any of the following acts:

(1) Determination of eligibility for any program or benefit.

(2) Issuance of any license, permit, certificate, degree, or any other official permission or recognition.

CODING: Words in struck through type are deletions from existing law; words underscored are additions.
(3) Application of requirements for the initiation, continuation, or resolution
of any judicial or administrative proceeding.

(4) Allowing participation in any public hearing or other government
sponsored event that is open to the public including access to any public building or
facility.

(5) Application of any financial, procedural, or other burden placed on
individuals in connection with a government service, decision, or program.

(6) Application of any rule or regulation and any penalty.

(7) Discrimination in any government service whatsoever except as provided
by Subsection C of this Section.

C. The prohibition of Subsection A of this Section does not apply to:
   (1) The provision of medical services to an individual when the need to
determine vaccination or immunity status is medically indicated.
   (2) Immunization requirements involving schools and education institutions
as specifically provided for by law.

D. Any person may commence a suit in the district court for the parish in
which a government action in violation of this Section occurred for the issuance of
a writ of mandamus or injunctive or declaratory relief to require compliance with the
provisions of this Section, together with reasonable attorney fees and costs.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part
of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute
part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 498 Original 2021 Regular Session Edmonston

Abstract: Prohibits government personnel and agencies from discriminating against
persons based on vaccination or immunity status.

Proposed law prohibits a state or local government official or agency from distinguishing
between individuals based on whether a person has or has not had a vaccination or is or is
not immune to a virus. Provides examples of discrimination that is prohibited.

Proposed law provides exceptions applicable to providing medical services and to present
law relative to immunization of students.
Proposed law authorizes any person to commence a suit in district court for the issuance of a writ of mandamus or injunctive or declaratory relief to require compliance with the provisions of proposed law, together with reasonable attorney fees and costs.

(Adds R.S. 49:186)