To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 498 by Representative Edmonston, recommend the following concerning the Reengrossed bill:

1. That the set of Senate Committee Amendments by the Senate Committee on Judiciary A (#3010) be rejected.
2. That the set of Senate Floor Amendments by Senator Cathey (#3491) be rejected.
3. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 12, after "has not" delete the remainder of the line and delete line 13 in its entirety and insert the following: "received a vaccine targeting COVID-19 disease or SARS-COV2 or any variant or mutation thereof until the date that the application for use of such a vaccine has been approved by the secretary of the United States Food and Drug Administration and the Emergency Use Authorization for such a vaccine is no longer effective."

AMENDMENT NO. 2

On page 2, line 12, after "services" delete the remainder of the line and delete line 13 in its entirety and insert the following: "in a licensed healthcare facility."

AMENDMENT NO. 3

On page 2, at the end of line 17, change the period "." to a comma "," and insert the following: "until the date that the application for use of such a vaccine has been approved by the secretary of the United States Food and Drug Administration and the Emergency Use Authorization for such a vaccine is no longer effective."

Respectfully submitted,

Representative  Kathy Edmonston  Senator  Stewart Cathey Jr.
Representative  Gregory A. Miller  Senator  Karen Carter Peterson
Representative  Tanner D. Magee  Senator  Barrow Peacock

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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)]

CONFERENCE COMMITTEE REPORT DIGEST

HB 498 2021 Regular Session Edmonston

Keyword and oneliner of the instrument as it left the House

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

Report rejects Senate amendments which would have:

1. Limited the prohibition against discrimination to apply only to access to state facilities based on a person's COVID-19 vaccination status.

Report amends the bill to:

1. Limit proposed law prohibition against discrimination to apply only to discrimination based on a person's COVID-19 vaccination status while an Emergency Use Authorization is effective for such vaccines.

2. Provide that medical services, to which the prohibition against discrimination does not apply, be provided in a licensed healthcare facility.

3. Limit proposed law prohibition against COVID-19 immunization requirements for students to apply only while an Emergency Use Authorization is effective for such vaccines.

Digest of the bill as proposed by the Conference Committee

Proposed law prohibits a state or local government official or agency from distinguishing between individuals based on whether a person has or has not received a vaccine targeting COVID-19 or SARS-COV2 while an Emergency Use Authorization is effective for such vaccines. Provides examples of discrimination that is prohibited.

Proposed law provides exceptions applicable to providing medical services in a licensed healthcare facility.

Proposed law provides an exception for present law immunization requirements for students, except for vaccines targeting COVID-19 or SARS-COV2 while an Emergency Use Authorization is effective for such vaccines.

Proposed law authorizes any person to commence a suit 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)