

ASSEMBLY, No. 5609

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 12, 2021

Sponsored by:

Assemblywoman BETTYLOU DECROCE

District 26 (Essex, Morris and Passaic)

SYNOPSIS

Prohibits discrimination by government against individuals who have not received COVID-19 vaccine.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** COVID-19 vaccines and discrimination in State and local
2 government buildings, and supplementing Title 10 of the Revised
3 Statutes

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5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

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8 1. a. Notwithstanding any law, rule, regulation, or executive
9 order to the contrary, it shall be unlawful to ask any individual if
10 the individual has received a coronavirus disease 2019 (COVID-19)
11 vaccine, to require any individual to receive a COVID-19 vaccine,
12 or to require any individual to show proof of having received a
13 COVID-19 vaccine as a condition of or as a prerequisite to:

14 (1) entry into any building, office, or structure owned or
15 operated by a State, county, or municipal government entity; or

16 (2) participation in a program or the receipt of any benefit or
17 service offered directly or indirectly by a State, county, or
18 municipal government entity.

19 b. An individual who violates the provisions of this section
20 shall, in addition to any other relief authorized by law, be liable for
21 civil damages to the victim in the amount of \$10,000 in an action
22 brought in the Superior Court in the county where the offense
23 occurred. In addition to an award of civil damages, the court shall
24 order the defendant to pay such attorney's fees or expenses, or both,
25 that are actually and reasonably incurred by the victim who is the
26 successful party in the action.

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28 2. This act shall take effect immediately.

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STATEMENT

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33 This bill prohibits discrimination by the government against
34 individuals who have not received a COVID-19 vaccine.

35 Under the bill, it is to be unlawful to ask any individual if the
36 individual has received a coronavirus disease 2019 (COVID-19)
37 vaccine, to require any individual to receive a COVID-19 vaccine,
38 or to require any individual to show proof of having received a
39 COVID-19 vaccine as a condition of or as a prerequisite to: (1)
40 entry into any building, office, or structure owned or operated by a
41 State, county, or municipal government entity; or (2) participation
42 in a program or the receipt of any benefit or service offered directly
43 or indirectly by a State, county, or municipal government entity.

44 The bill provides that an individual who violates the provisions
45 of this bill is to, in addition to any other relief authorized by law, be
46 liable for civil damages to the victim in the amount of \$10,000 in an
47 action brought in the Superior Court in the county where the offense
48 occurred. In addition to an award of civil damages, the court is to

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- 1 order the defendant to pay such attorney's fees or expenses, or both,
- 2 that are actually and reasonably incurred by the victim who is the
- 3 successful party in the action.