

*Sponsorship has changed since the bill was introduced

REFERENCE TITLE: **employer liability; COVID-19 vaccine requirement**

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2043

*Introduced by
Representatives Nguyen: Biasiucci, Blackman, Bolick, Carroll, Carter,
Chaplik, Diaz, Hoffman, Kaiser, Wilmeth

AN ACT

**AMENDING TITLE 12, CHAPTER 6, ARTICLE 12, ARIZONA REVISED STATUTES, BY
ADDING SECTION 12-723; RELATING TO CIVIL LIABILITY.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 12, chapter 6, article 12, Arizona Revised
3 Statutes, is amended by adding section 12-723, to read:

4 12-723. Employer liability for COVID-19 vaccination
5 requirement; civil action; damages

6 A. NOTWITHSTANDING ANY OTHER LAW, IF AN EMPLOYER DENIES A RELIGIOUS
7 EXEMPTION AND REQUIRES A PERSON TO RECEIVE A COVID-19 VACCINATION AS A
8 PREREQUISITE TO OR REQUIREMENT FOR MAINTAINING EMPLOYMENT, THE EMPLOYER IS
9 LIABLE TO THE PERSON FOR DAMAGES THAT RESULT FROM A SIGNIFICANT INJURY
10 THAT IS CAUSED BY RECEIVING THE COVID-19 VACCINATION.

11 B. A CLAIMANT WHO PREVAILS UNDER THIS SECTION:

12 1. SHALL BE AWARDED ACTUAL DAMAGES, COURT COSTS AND REASONABLE
13 ATTORNEY FEES OR STATUTORY DAMAGES OF \$500,000, WHICHEVER IS GREATER.

14 2. IN ADDITION TO AN AWARD UNDER PARAGRAPH 1 OF THIS SUBSECTION,
15 MAY RECOVER EXEMPLARY DAMAGES.

16 C. THE RIGHTS AND REMEDIES PROVIDED IN THIS SECTION SUPPLEMENT ANY
17 OTHER RIGHTS AND REMEDIES PROVIDED BY LAW, INCLUDING WORKERS' COMPENSATION
18 CLAIMS AND COMMON LAW RIGHTS.