

REFERENCE TITLE: employers; vaccines; religious exemption

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1407

Introduced by
Senators Shamp: Carroll, Gowan, Kerr, Shope

AN ACT

AMENDING SECTION 23-206, ARIZONA REVISED STATUTES; RELATING TO
VACCINATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 23-206, Arizona Revised Statutes, is amended to
3 read:

4 23-206. Employers; accommodations required vaccinations;
5 religious exemption; form; definitions

6 A. If an employer receives notice from an employee that the
7 employee's sincerely held religious beliefs, practices or observances
8 prevent the employee from taking the COVID-19 vaccination, INFLUENZA A OR
9 B VACCINATION OR FLU VACCINATION OR ANY VACCINATION AUTHORIZED BY THE
10 UNITED STATES FOOD AND DRUG ADMINISTRATION FOR EMERGENCY USE ONLY, the
11 employer shall provide a reasonable accommodation unless the accommodation
12 would pose an undue hardship ~~and more than a de minimus cost to the~~
13 ~~operation of the employer's business.~~

14 B. AN EMPLOYER MAY NOT:

15 1. INQUIRE INTO THE VERACITY OF AN EMPLOYEE'S RELIGIOUS
16 BELIEFS, PRACTICES OR OBSERVANCES TO THE EXTENT BEYOND WHAT IS ALLOWED
17 UNDER FEDERAL LAW.

18 2. DISCRIMINATE AGAINST AN EMPLOYEE REGARDING EMPLOYMENT, WAGES OR
19 BENEFITS BASED ON THE EMPLOYEE'S VACCINATION STATUS.

20 C. AN EMPLOYER SHALL ALLOW AN EMPLOYEE TO REQUEST A RELIGIOUS
21 EXEMPTION FROM THE COVID-19 VACCINATION, INFLUENZA A OR B VACCINATION OR
22 FLU VACCINATION MANDATE OR ANY MANDATE FOR A VACCINATION AUTHORIZED BY THE
23 UNITED STATES FOOD AND DRUG ADMINISTRATION ONLY FOR EMERGENCY USE BY USING
24 A FORM THAT MEETS THE FOLLOWING MINIMUM REQUIREMENTS:

25 RELIGIOUS EXEMPTION FROM COVID-19 VACCINATION,
26 INFLUENZA A OR B VACCINATION, FLU VACCINATION OR
27 VACCINATION AUTHORIZED BY THE UNITED STATES FOOD
28 AND DRUG ADMINISTRATION FOR EMERGENCY USE ONLY

29 EMPLOYEE NAME _____
30 DATE OF BIRTH _____
31 TELEPHONE NUMBER _____
32 EMPLOYER NAME _____

33 EXEMPTION STATEMENT:

34 PURSUANT TO SECTION 23-206, ARIZONA REVISED STATUTES, I
35 HEREBY DECLARE THAT I AM REQUESTING AN EXEMPTION FROM THE
36 COVID-19 VACCINATION, INFLUENZA A OR B VACCINATION, FLU
37 VACCINATION OR VACCINATION AUTHORIZED BY THE UNITED STATES
38 FOOD AND DRUG ADMINISTRATION FOR EMERGENCY USE ONLY BECAUSE OF
39 MY SINCERELY HELD RELIGIOUS BELIEFS.

40 EMPLOYEE STATEMENT OF SINCERELY HELD RELIGIOUS BELIEFS

41 _____
42 EMPLOYEE STATEMENT OF CONFLICT BETWEEN RELIGIOUS BELIEFS
43 AND VACCINE _____

44 REQUESTED ACCOMMODATION AND ALTERNATIVE ACCOMMODATIONS
45 _____

1 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING
2 INFORMATION IS TRUE AND CORRECT.

3 EMPLOYEE SIGNATURE _____

4 DATE _____

5 EMPLOYEE NAME (PRINT) _____

6 NOTE: AN EMPLOYER MAY NOT INQUIRE INTO THE VERACITY OF THE
7 EMPLOYEE'S SINCERELY HELD RELIGIOUS BELIEFS, PRACTICES OR
8 OBSERVANCES TO THE EXTENT BEYOND WHAT IS ALLOWED UNDER FEDERAL
9 LAW.

10 D. ANY EMPLOYER THAT RECEIVES A REQUEST FOR A RELIGIOUS EXEMPTION
11 PURSUANT TO THIS SECTION SHALL KEEP THE REQUEST AND ITS CONTENTS
12 CONFIDENTIAL AND MAY NOT SHARE THEM WITHIN THAT ORGANIZATION EXCEPT TO THE
13 EXTENT NECESSARY TO PROCESS THE REQUEST FOR EXEMPTION, ACCOMMODATION OR
14 OTHER OPERATIONAL NECESSITY. EMPLOYERS MAY CREATE A DATABASE OF RELIGIOUS
15 EXEMPTION REQUESTS FOR INTERNAL USE ONLY UNLESS OTHERWISE REQUIRED BY LAW.

16 E. FOR THE PURPOSES OF THIS SECTION:

17 1. "COVID-19" MEANS:

18 (a) THE NOVEL CORONAVIRUS IDENTIFIED AS SARS-COV-2.

19 (b) ANY DISEASE CAUSED BY SARS-COV-2, ITS VIRAL FRAGMENTS OR A
20 VIRUS MUTATING THEREFROM.

21 (c) ALL CONDITIONS ASSOCIATED WITH THE DISEASE THAT ARE CAUSED BY
22 SARS-COV-2, ITS VIRAL FRAGMENTS OR A VIRUS MUTATING THEREFROM.

23 2. "SINCERELY HELD RELIGIOUS BELIEFS, PRACTICES OR OBSERVANCES"
24 INCLUDES A SINCERELY HELD MORAL OR ETHICAL BELIEF.