

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H

1

HOUSE BILL 686

Short Title: No Gov't Retribution for Refusal of CV19 Vax. (Public)

Sponsors: Representatives Johnson, Penny, Watford, and Moss (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State Government, if favorable, Health, if favorable, Rules, Calendar, and Operations of the House

April 27, 2021

1 A BILL TO BE ENTITLED
2 AN ACT PROHIBITING STATE AND LOCAL GOVERNMENT RETRIBUTION
3 REGARDING REFUSAL OF VACCINATIONS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 126-34.02(b) is amended by adding a new subdivision to read:

6 "(7) Refusal of vaccines. – A grievance may be filed by an applicant for State
7 employment or a State employee alleging that the applicant or employee was
8 retaliated against for choosing not to take any of the coronavirus vaccines."

9 **SECTION 2.(a)** G.S. 126-5(a) reads as rewritten:

10 "(a) The provisions of this Chapter shall apply to:

11 (1) All State employees not herein exempt, and

12 (2) All employees of the following local entities:

13 a. Area mental health, developmental disabilities, and substance abuse
14 authorities, except as otherwise provided in Chapter 122C of the
15 General Statutes.

16 b. Local social services departments.

17 c. County health departments and district health departments.

18 d. Local emergency management agencies that receive federal
19 grant-in-aid funds.

20 An employee of a consolidated county human services agency created
21 pursuant to G.S. 153A-77(b) is not considered an employee of an entity listed
22 in this subdivision.

23 (3) County employees not included under subdivision (2) of this subsection as the
24 several boards of county commissioners may from time to time determine.

25 (4) Any local government employee or applicant for local government
26 employment who chooses not to take any of the coronavirus vaccines."

27 **SECTION 2.(b)** G.S. 126-5 is amended by adding a new subsection to read:

28 "(c17) The provisions of G.S. 126-34.02(b)(7) apply to all State and local government
29 employees and applicants for local government employment such that those employees and
30 applicants shall have the right to refuse any of the coronavirus vaccines without being subjected
31 to termination or retaliation."

32 **SECTION 3.** Part 2 of Article 6 of Chapter 130A of the General Statutes is amended
33 by adding a new section to read:

34 "§ 130A-157.5. Rights of individuals who refuse COVID-19 vaccines.



* H 6 8 6 - V - 1 *

1 Notwithstanding any provision of this Article or any other provision of law to the contrary,
2 any legal resident of this or another state who chooses not to take any of the coronavirus vaccines
3 approved for emergency use or otherwise by the United States Food and Drug Administration
4 has the same right as an individual who chooses to take any such vaccine to the full and free use
5 of buildings and land owned, leased, or otherwise controlled by the State of North Carolina or
6 any of its political subdivisions, including schools, colleges, and universities."

7 **SECTION 4.** This act is effective when it becomes law.