



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB5105

Introduced 2/8/2024, by Rep. Adam M. Niemerg

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the COVID-19 Vaccination Employer Mandate Prohibition Act. Provides that it is unlawful for an employer in the State of Illinois to create, implement, or otherwise enforce a workplace vaccination program that requires any employee to demonstrate to the employer that he or she has received a vaccine or its related booster that was approved under emergency use authorization by the United States Food and Drug Administration. Effective immediately.

LRB103 38651 SPS 68788 b

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 COVID-19 Vaccination Employer Mandate Prohibition Act.

6 Section 5. Purpose. It is the purpose of this Act to allow  
7 individuals to have the bodily autonomy to make the decision  
8 of whether or not to receive a vaccination or its related  
9 booster that was approved by the United States Food and Drug  
10 Administration to be used under emergency use authorization  
11 for treatment of COVID-19. The fact that the vaccines made  
12 available amid the global pandemic have been granted emergency  
13 use authorization means that both regulatory bodies and  
14 industry experts have not been allotted sufficient time to  
15 study either the short-term and long-term effects that may  
16 arise from the administration of vaccinations authorized for  
17 emergency use. Additionally, since COVID-19 is no longer  
18 categorized as a pandemic, the need for vaccine mandates is no  
19 longer present. Therefore, the State is compelled to prohibit  
20 employers from requiring that employees receive a vaccine or  
21 its related booster that has been approved under emergency use  
22 authorization as a condition of employment.

1           Section 10. Prohibition. It is unlawful for an employer in  
2           this State to create, implement, or otherwise enforce a  
3           workplace vaccination program that requires an employee to  
4           demonstrate to the employer that he or she has received a  
5           vaccine or its related booster that was approved under  
6           emergency use authorization by the United States Food and Drug  
7           Administration, under the Administration's power outlined in  
8           Section 564 of the Federal Food, Drug, and Cosmetic Act, for  
9           protection against COVID-19.

10           Section 99. Effective date. This Act takes effect upon  
11           becoming law.