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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/21/2023	.	
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The Committee on Fiscal Policy (Burton) recommended the following:

1           **Senate Amendment to Amendment (422702) (with title**  
2 **amendment)**

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4           Delete lines 183 - 215  
5 and insert:

6 institution in this state or as a condition of contracting,  
7 hiring, promotion, or continued employment with the educational  
8 institution. An educational institution may not discharge or  
9 refuse to hire a person; deprive or attempt to deprive a person  
10 of employment opportunities; adversely affect a person's status



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11 as an employee or as an applicant for employment; or otherwise  
12 discriminate against a person based on knowledge or belief of  
13 the person's status relating to vaccination with any vaccine  
14 defined under subsection (1) or COVID-19 postinfection recovery,  
15 or a person's failure to take a COVID-19 test.

16 (c) For matters relating to vaccines other than those  
17 defined under subsection (1), an educational institution shall  
18 provide for exemptions and reasonable accommodations for  
19 religious and medical reasons in accordance with federal law.

20 (3)(a) An educational institution may not require a person  
21 to wear a face mask, a face shield, or any other facial covering  
22 that covers the mouth and nose. An educational institution may  
23 not deny any person access to, entry upon, service from, or  
24 admission to such educational institution or otherwise  
25 discriminate against a person based on such person's refusal to  
26 wear a face mask, a face shield, or any other facial covering  
27 that covers the mouth and nose.

28 (b) Paragraph (a) does not apply to:

29 1. A health care provider or health care practitioner as  
30 those terms are defined in s. 408.824, provided such health care  
31 provider or health care practitioner is in compliance with that  
32 section.

33 2. An educational institution when a face mask, a face  
34 shield, or any other facial covering that covers the mouth and  
35 nose is used as required safety equipment in a course of study  
36 consistent with occupational or laboratory safety requirements,  
37 in accordance with standards adopted by the Department of  
38 Health. The Department of Health shall adopt emergency rules to  
39 develop such standards. Emergency rules adopted under this



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40 subparagraph are exempt from s. 120.54(4)(c) and shall remain in  
41 effect until replaced by rules adopted under the nonemergency  
42 rulemaking procedures of the Administrative Procedure Act.

43 (4)(a) Notwithstanding s. 768.39, the Department of Health  
44 may impose an

45  
46 ===== T I T L E A M E N D M E N T =====

47 And the title is amended as follows:

48 Delete lines 499 - 500

49 and insert:

50 as a condition of contracting, hiring, promotion, or  
51 continued employment; prohibiting educational  
52 institutions from discharging persons, refusing to  
53 hire persons, depriving or attempting to deprive  
54 persons of employment opportunities, adversely  
55 affecting persons with respect to employment, or  
56 otherwise discriminating against any person based on  
57 the knowledge or belief of a person's vaccination or  
58 COVID-19 postinfection