

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 906

Introduced by Hansen, B., 16; Aguilar, 35; Albrecht, 17; Flood, 19;
Friesen, 34; Gragert, 40; Groene, 42; Lowe, 37; Murman, 38;
Sanders, 45; Slama, 1.

Read first time January 07, 2022

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to public health; to provide duties for the
- 2 Department of Health and Human Services; to require employers to
- 3 provide for a vaccine exemption; to define terms; and to declare an
- 4 emergency.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) For purposes of this section:

2 (a) Department means the Department of Health and Human Services;

3 (b)(i) Employer means a person engaged in an industry who has twenty
4 or more employees for each working day in each of twenty or more calendar
5 weeks in the current or preceding calendar year;

6 (ii) Employer includes any party whose business is financed in whole
7 or in part under the Nebraska Investment Finance Authority Act regardless
8 of the number of employees and includes the State of Nebraska,
9 governmental agencies, and political subdivisions;

10 (iii) Employer includes any agent or person acting for or in the
11 interest, directly or indirectly, of an entity described in subdivision
12 (1)(a) or (b) of this section; and

13 (iv) Employer does not include (A) the United States, a corporation
14 wholly owned by the government of the United States, or an Indian tribe
15 or (B) a bona fide private membership club, other than a labor
16 organization, which is exempt from taxation under section 501(c) of the
17 Internal Revenue Code; and

18 (c) Vaccine exemption form means the form created by the department
19 under subsection (2) of this section.

20 (2) The department shall develop a vaccine exemption form for an
21 individual to claim an exemption under this section. The department shall
22 make the form available on the department's website. The form shall
23 require the individual to declare that the individual refuses to receive
24 the vaccine because of the individual's strong moral, ethical, or
25 philosophical belief or conviction.

26 (3) An employer that requires applicants or employees to be
27 vaccinated shall allow for an exemption to such requirement based on an
28 applicant's or employee's strong moral, ethical, or philosophical belief
29 or conviction.

30 (4) An employer may require an employee granted an exemption under
31 this section to:

1 (a) Be periodically tested, at the employer's expense, for infection
2 or illness; and

3 (b) Wear or use personal protective equipment provided by the
4 employer.

5 (5) To claim the exemption provided for in this section, an employee
6 shall fill out and sign the vaccine exemption form and submit such form
7 to the employer.

8 Sec. 2. Since an emergency exists, this act takes effect when
9 passed and approved according to law.