

CONFERENCE COMMITTEE REPORT

HB 498

2021 Regular Session

Edmonston

June 9, 2021

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 498 by Representative Edmonston, recommend the following concerning the Reengrossed bill:

- 1. That the set of Senate Committee Amendments by the Senate Committee on Judiciary A (#3010) be rejected.
- 2. That the set of Senate Floor Amendments by Senator Cathey (#3491) be rejected.
- 3. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 12, after "has not" delete the remainder of the line and delete line 13 in its entirety and insert the following: "received a vaccine targeting COVID-19 disease or SARS-COV2 or any variant or mutation thereof until the date that the application for use of such a vaccine has been approved by the secretary of the United States Food and Drug Administration and the Emergency Use Authorization for such a vaccine is no longer effective."

AMENDMENT NO. 2

On page 2, line 12, after "services" delete the remainder of the line and delete line 13 in its entirety and insert the following: "in a licensed healthcare facility."

AMENDMENT NO. 3

On page 2, at the end of line 17, change the period "." to a comma "," and insert the following: "until the date that the application for use of such a vaccine has been approved by the secretary of the United States Food and Drug Administration and the Emergency Use Authorization for such a vaccine is no longer effective."

Respectfully submitted,

Representative Kathy Edmonston

Senator Stewart Cathey Jr.

Representative Gregory A. Miller

Senator Karen Carter Peterson

Representative Tanner D. Magee

Senator Barrow Peacock

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and oneliner of the instrument as it left the House

DISCRIMINATION: Prohibits discrimination by government agencies and officials on the basis of vaccination or immunity status

Report rejects Senate amendments which would have:

1. Limited the prohibition against discrimination to apply only to access to state facilities based on a person's COVID-19 vaccination status.

Report amends the bill to:

1. Limit proposed law prohibition against discrimination to apply only to discrimination based on a person's COVID-19 vaccination status while an Emergency Use Authorization is effective for such vaccines.
2. Provide that medical services, to which the prohibition against discrimination does not apply, be provided in a licensed healthcare facility.
3. Limit proposed law prohibition against COVID-19 immunization requirements for students to apply only while an Emergency Use Authorization is effective for such vaccines.

Digest of the bill as proposed by the Conference Committee

Proposed law prohibits a state or local government official or agency from distinguishing between individuals based on whether a person has or has not received a vaccine targeting COVID-19 or SARS-COV2 while an Emergency Use Authorization is effective for such vaccines. Provides examples of discrimination that is prohibited.

Proposed law provides exceptions applicable to providing medical services in a licensed healthcare facility.

Proposed law provides an exception for present law immunization requirements for students, except for vaccines targeting COVID-19 or SARS-COV2 while an Emergency Use Authorization is effective for such vaccines.

Proposed law authorizes any person to commence a suit for the issuance of a writ of mandamus or injunctive or declaratory relief to require compliance with the provisions of proposed law, together with reasonable attorney fees and costs.

(Adds R.S. 49:186)