



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4698

Introduced 1/21/2022, by Rep. Thomas Morrison

SYNOPSIS AS INTRODUCED:

745 ILCS 70/13.5

Amends the Health Care Right of Conscience Act. Deletes language providing that it is not a violation for any person or public official, or for any public or private association, agency, corporation, entity, institution, or employer, to take any measures or impose any requirements intended to prevent contraction or transmission of COVID-19 or any pathogens that result in COVID-19 or any of its subsequent iterations. Provides that it is a violation of the Act to take such actions. Provides that each individual shall retain the rights to bodily autonomy, make the individual's own health care decisions, and be free to accept or refuse any health or medical intervention, testing, treatment, or vaccination. Provides that the government or its designees, political subdivisions, counties, townships, municipal corporations, school districts, or other bodies corporate responsible for governmental activities in a geographic area smaller than that of the State may not require proof of medical or vaccine status of a person, or infringe upon, put conditions on, restrict, or take away a person's ability to fully participate in society based upon a person choosing to accept or decline testing, medical intervention, treatment, or vaccination. Effective Immediately or on June 1, 2022, whichever is later.

LRB102 23870 LNS 33063 b

1 AN ACT concerning civil law.

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

4 Section 5. The Health Care Right of Conscience Act is
5 amended by changing Section 13.5 as follows:

6 (745 ILCS 70/13.5)

7 (This Section may contain text from a Public Act with a
8 delayed effective date)

9 Sec. 13.5. Violations related to COVID-19 requirements.

10 ~~(a) It is not a violation of this Act for any person or~~
11 ~~public official, or for any public or private association,~~
12 ~~agency, corporation, entity, institution, or employer, to take~~
13 ~~any measures or impose any requirements, including, but not~~
14 ~~limited to, any measures or requirements that involve~~
15 ~~provision of services by a physician or health care personnel,~~
16 ~~intended to prevent contraction or transmission of COVID 19 or~~
17 ~~any pathogens that result in COVID 19 or any of its subsequent~~
18 ~~iterations. It is not a violation of this Act to mandate or~~
19 ~~enforce ~~such~~ measures or requirements intended to prevent~~
20 ~~contraction or transmission of COVID-19 or any pathogens that~~
21 ~~result in COVID-19 or any of its subsequent iterations,~~
22 ~~including by terminating employment or by excluding~~
23 ~~individuals from a school, a place of employment, or a public~~

1 or private premises in response to noncompliance. This Section
2 is a declaration of existing law and shall not be construed as
3 a new enactment. Accordingly, this Section shall apply to all
4 actions commenced or pending on or after the effective date of
5 this amendatory Act of the 102nd General Assembly. Nothing in
6 this Section is intended to affect any right or remedy under
7 federal law.

8 (b) Notwithstanding any statute, ordinance, or rule to the
9 contrary, including a statute, ordinance, or rule addressing
10 an outbreak, epidemic, or potential outbreak or epidemic of a
11 contagious, infectious, or communicable disease, and
12 notwithstanding any statute, rule, order, or directive that
13 may be adopted in response to an emergency, including a
14 national security emergency, statewide emergency, local
15 emergency, public health emergency, or peacetime emergency,
16 each individual shall retain the rights to bodily autonomy, to
17 make the individual's own health care decisions, and to be
18 free to accept or refuse any health or medical intervention,
19 testing, treatment, or vaccination.

20 (c) The government or its designees, political
21 subdivisions, counties, townships, municipal corporations,
22 school districts, or other bodies corporate responsible for
23 governmental activities in a geographic area smaller than that
24 of the State, including a board of health of a city or general
25 health district, or other employers, businesses, nonprofit
26 organizations, institutions, churches, travel carriers, or

1 other public or private entities, may not require proof of
2 medical or vaccine status of a person, or infringe upon, put
3 conditions on, restrict, or take away a person's ability to
4 fully participate in society, including, but not limited to,
5 education, day care, employment, travel, religion, hobbies,
6 entertainment, sports, and businesses where food or beverages
7 are served or sold, based upon a person choosing to accept or
8 decline testing, medical intervention, treatment, or
9 vaccination.

10 (Source: P.A. 102-667, eff. 6-1-22.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law or on June 1, 2022, whichever is later.