

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

**Introduced**

### **House Bill 4012**

BY DELEGATES HORST, J. JEFFRIES, STEELE, CONLEY,  
CROUSE, MAYNOR, G. WARD, WORRELL, FOSTER, DEAN,  
AND NESTOR

[Introduced January 24, 2022; Referred to the  
Committee on Health and Human Resources then the  
Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §16-3-4b, relating to prohibiting the showing of proof of a COVID-19  
 3 vaccination.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 3. PREVENTION AND CONTROL OF COMMUNICABLE AND OTHER  
 INFECTIOUS DISEASES.**

**§16-3-4b. Prohibiting proof of COVID-19 vaccination.**

1 (a) As used in this section:

2 (1) "COVID-19" has the same definition as provided in §55-19-3 of this code;

3 (2) "Hospital" has the same definition as provided in §16-5B-1 of this code;

4 (3) "Immunization" has the same definition as provided in §55-19-3 of this code;

5 (4) "Proof of vaccination" means physical documentation or digital storage of protected  
 6 health information related to an individual's immunization or vaccination against COVID-19;

7 (5) "State institution of higher education" has the same meaning as provided in §18B-1-2  
 8 of this code.

9 (b) A state or local governmental official, entity, department, or agency may not require  
 10 proof of vaccination as a condition of entering upon the premises of a state or local government  
 11 entity, or utilizing services provided by a state or local government entity.

12 (c) A hospital may not require proof of vaccination as a condition of entering upon the  
 13 premises.

14 (d) A state institution of higher education may not require proof of vaccination as a  
 15 condition of entering upon the premises.

16 (e) A person harmed by a violation of this section may seek injunctive relief in a court of  
 17 competent jurisdiction. Neither party may be required to pay the other party's attorney's fees.

NOTE: The purpose of this bill is to prohibit an entity from requiring the showing of a

COVID-19 vaccination to enter a hospital, state institution of higher education or a state or local governmental office, entity, department, or agency.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.