

BILL NO. \_\_\_\_\_

AN ACT concerning civil actions and civil procedure; authorizing a civil action for damages caused by an adverse reaction or injury related to a COVID-19 vaccine.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. (a) An individual may bring a civil action in an appropriate district court against an employer or other person for any damages caused by an adverse reaction or injury related to a COVID-19 vaccine if:

(1) The employer or other person imposed a COVID-19 vaccine requirement on such individual; and

(2) the individual complied with the requirement and received a COVID-19 vaccine as a result of such requirement.

(b) In an action under this section, the court shall award a prevailing plaintiff the cost of the suit, including reasonable attorney fees.

(c) As used in this section:

(1) "COVID-19 vaccine" means an immunization, vaccination or injection against disease caused by the novel coronavirus identified as SARS-CoV-2 or disease caused by a variant of the virus;

(2) "COVID-19 vaccine requirement" means that an employer or other person required the individual to receive a COVID-19 vaccine or required the individual to provide documentation certifying receipt of a COVID-19 vaccine. "COVID-19 vaccine requirement" does not include a requirement that was imposed to conform to requirements issued by a governmental entity.

(3) "employer" means any person in this state who employs one or more persons and

includes the state and all political subdivisions of the state; and

(4) "person" means an individual, partnership, association, organization, corporation, legal representative, trustee, trustee in bankruptcy or receiver.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.