
Wisconsin Legislative Council

AMENDMENT MEMO



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Contact: Anna Henning, Senior Staff Attorney

2021 Assembly Bill 25

**Assembly
Amendment 1**

2021 ASSEMBLY BILL 25

Under **current law**, employers generally have discretion to mandate that at-will employees receive vaccinations, subject to reasonable accommodations for disabilities and religious beliefs, for example under Title VII of the Civil Rights Act of 1964 and Title I of the Americans with Disabilities Act. However, because the current COVID-19 vaccines have only received an emergency use authorization by the Food and Drug Administration, federal law may currently give employees the option to refuse the vaccine.

2021 Assembly Bill 25 prohibits employers¹ from requiring employees or prospective employees to receive a COVID vaccine as a condition of employment.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 clarifies that the prohibition under the bill applies to any variant or mutation of the SARS-CoV-2 virus.

BILL HISTORY

Representative Thiesfeldt offered Assembly Amendment 1 on March 9, 2021, following a public hearing on the bill. On March 10, 2021, the Assembly Committee on Constitution and Ethics voted to recommend adoption of the amendment and passage of the bill, as amended, both on votes of Ayes, 6; Noes, 3.

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¹ In this context, “employer” is defined relatively broadly to include any person, firm, corporation, state, county, town, city, village, school district, sewer district, drainage district, long-term care district and other public or quasi-public corporations as well as any agent, manager, representative or other person having control or custody of any employment, place of employment or of any employee.