

ASSEMBLY, No. 3375

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 1, 2024

Sponsored by:

Assemblyman JAY WEBBER
District 26 (Morris and Passaic)

Co-Sponsored by:

Assemblyman Torrissi

SYNOPSIS

Prohibits discrimination against pregnant women who have not received COVID-19 vaccine.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/5/2024)

1 AN ACT concerning COVID-19 vaccines and discrimination and
2 supplementing Title 10 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Notwithstanding any law, rule, regulation, or executive order
8 to the contrary, it shall be unlawful to ask a pregnant woman if she
9 has received a COVID-19 vaccine or booster, to directly or
10 indirectly require a pregnant woman to receive a COVID-19
11 vaccine or booster, or to require a pregnant woman to show proof of
12 having received a COVID-19 vaccine or booster for any reason,
13 including, but not limited to, as a condition of or as a prerequisite
14 to:

15 (1) the exercise of any privilege or right granted under State or
16 federal law;

17 (2) conducting any business or commerce;

18 (3) travelling to, outside, or within the State;

19 (4) obtaining or maintaining an internship, obtaining or
20 maintaining employment, or receiving a promotion from an
21 employer;

22 (5) participation in any governmental or political activity;

23 (6) admission or enrollment into any day care program;

24 (7) admission to, enrollment in, or graduation from a school,
25 college, university, or any other institution of education;

26 (8) participation in any activity, internship, opportunity,
27 program, or sport offered by a school, college, university, or any
28 other institution of education;

29 (9) receiving adequate dental care or health care;

30 (10) maintaining, receiving, or renewing a professional
31 certification or license;

32 (11) obtaining or renewing membership in any professional
33 organization;

34 (12) entrance into or service from any place of business,
35 including, but not limited to, any market, restaurant, or store;

36 (13) entrance into and service from any public building, office,
37 or structure;

38 (14) entrance into and use of any public park or beach; or

39 (15) admission into or service from any amusement park, concert
40 venue, theater, or sporting event.

41 c. It shall be unlawful to discriminate against, harass, or take any
42 adverse action against a pregnant woman who:

43 (1) has not received a COVID-19 vaccine or booster;

44 (2) does not disclose whether she has received a COVID-19
45 vaccine or booster; or

46 (3) does not show proof of having received a COVID-19 vaccine
47 or booster.

1 2. An individual who violates the provisions of this act shall, in
2 addition to any other relief authorized by law, be liable for civil
3 damages to the victim in the amount of \$25,000 in an action
4 brought in the Superior Court in the county where the offense
5 occurred. In addition to an award of civil damages, the court shall
6 order the defendant to pay such attorney's fees or expenses, or both,
7 that are actually and reasonably incurred by the victim who is the
8 successful party in the action.

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10 3. This act shall take effect immediately.

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STATEMENT

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15 This bill prohibits discrimination against pregnant women who
16 have not received a COVID-19 vaccine.

17 Under the bill, it is unlawful to ask a pregnant woman if she has
18 received a COVID-19 vaccine or booster, to directly or indirectly
19 require a pregnant woman to receive a COVID-19 vaccine or
20 booster, or to require a pregnant woman to show proof of having
21 received a COVID-19 vaccine or booster for any reason, including,
22 but not limited to, as a condition of or as a prerequisite to

23 (1) the exercise of any privilege or right granted under State or
24 federal law;

25 (2) conducting any business or commerce;

26 (3) travelling to, outside, or within the State;

27 (4) obtaining or maintaining an internship, obtaining or
28 maintaining employment, or receiving a promotion from an
29 employer;

30 (5) participation in any governmental or political activity;

31 (6) admission or enrollment into any day care program;

32 (7) admission to, enrollment in, or graduation from a school,
33 college, university, or any other institution of education;

34 (8) participation in any activity, internship, opportunity,
35 program, or sport offered by a school, college, university, or any
36 other institution of education;

37 (9) receiving adequate dental care or health care;

38 (10) maintaining, receiving, or renewing a professional
39 certification or license;

40 (11) obtaining or renewing membership in any professional
41 organization;

42 (12) entrance into or service from any place of business,
43 including, but not limited to, any market, restaurant, or store;

44 (13) entrance into and service from any public building, office,
45 or structure;

46 (14) entrance into and use of any public park or beach; or

47 (15) admission into or service from any amusement park, concert
48 venue, theater, or sporting event.

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1 The bill provides that it is unlawful to discriminate against,
2 harass, or take any adverse action against a pregnant woman who:
3 (1) has not received a COVID-19 vaccine or booster; (2) does not
4 disclose whether she has received a COVID-19 vaccine or booster;
5 or (3) does not show proof of having received a COVID-19 vaccine
6 or booster.

7 Under the bill, an individual who violates any provision of this
8 bill is to, in addition to any other relief authorized by law, be liable
9 for civil damages to the victim in the amount of \$25,000 in an
10 action brought in the Superior Court in the county where the offense
11 occurred. In addition to an award of civil damages, the court is to
12 order the defendant to pay such attorney's fees or expenses, or both,
13 that are actually and reasonably incurred by the victim who is the
14 successful party in the action.