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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2897

01/31/2022 Authored by Franson and Lucero
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to public health; creating a health freedom sanctuary; limiting the governor's
1.3 peacetime emergency powers; prohibiting mandatory vaccinations; prohibiting
1.4 businesses from requiring certain vaccination documentations; prohibiting a school
1.5 district from requiring a student to wear a mask on school grounds; amending
1.6 Minnesota Statutes 2020, section 12.31, by adding a subdivision; proposing coding
1.7 for new law in Minnesota Statutes, chapters 121A; 181; 325D.

1.8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.9 Section 1. Minnesota Statutes 2020, section 12.31, is amended by adding a subdivision
1.10 to read:

1.11 Subd. 4. Limits on governor's peacetime emergency powers. A declaration of a
1.12 peacetime emergency does not authorize the governor to:

1.13 (1) require a business to close, preclude customers from entering the premises of a
1.14 business, or impose penalties for continuing to do business or allowing customers to enter
1.15 the premises of a business; or

1.16 (2) preclude the free movement of people or impose penalties for moving freely about
1.17 the state or across state borders.

1.18 EFFECTIVE DATE. This section is effective the day after final enactment.

1.19 Sec. 2. [121A.20] STUDENT MASKING.

1.20 A school district, charter school, or private school is prohibited from requiring a student
1.21 to wear a face covering anywhere on school grounds.

1.22 EFFECTIVE DATE. This section is effective the day following final enactment.

2.1 Sec. 3. [181.987] MANDATORY VACCINATION PROHIBITED.

2.2 (a) It is unlawful for any employer to require an employee or applicant for employment  
2.3 to require an employee or applicant for employment to receive a vaccination as a condition  
2.4 of employment.

2.5 (b) Any person violating any of the provisions of this section is guilty of a gross  
2.6 misdemeanor.

2.7 (c) For purposes of this section, "employer" means a person or entity that employs one  
2.8 or more employees in this state and includes an individual, corporation, partnership,  
2.9 association, nonprofit organization, group of persons, state, county, town, city, school  
2.10 district, or other governmental subdivision.

2.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.12 Sec. 4. [325D.73] REQUIREMENTS FOR CERTAIN VACCINATION OR  
2.13 RECOVERY DOCUMENTATION UNLAWFUL.

2.14 (a) In order to protect the fundamental rights and privacies of Minnesotans and the free  
2.15 flow of commerce within the state, it shall be unlawful for any person, partnership, firm,  
2.16 or corporation, foreign or domestic, doing business in the state to require patrons or customers  
2.17 to provide documentation certifying vaccination or post-transmission recovery to gain access  
2.18 to, entry upon, or service from the business.

2.19 (b) Any business that violates the prohibition in this subdivision shall be ineligible for  
2.20 grants or contracts financed through state revenue or funds.

2.21 (c) The requirements in this section do not restrict businesses from instituting COVID-19  
2.22 screening protocols in accordance with state and federal law to protect the public health.

2.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.