

**SUBJECT:** Providing limited liability to businesses relating to pandemic disease

**COMMITTEE:** Judiciary & Civil Jurisprudence — favorable, without amendment

**VOTE:** 5 ayes — Leach, Murr, Schofield, Slawson, Vasut  
4 nays — Julie Johnson, Davis, Flores, Moody

**WITNESSES:** For — Michelle Evans, Texans for Vaccine Choice; Tom Glass, Texas Constitutional Enforcement; Gregory C Porter (*Registered, but did not testify*; June Deadrick, CenterPoint Energy; Regan Ellmer, Independent Insurance Agents of Texas; Annie Spilman, National Federation of Independent Business; Amy Befeld, Lee Parsley, Texans for Lawsuit Reform; Jackie Schlegel, Texans For Medical Freedom; Sandy Hoy, Texas Apartment Association; Cathy DeWitt, Texas Association of Staffing; Kelsey Streufert, Texas Restaurant Association; Teresa Dear; Thomas Parkinson; Stephanie Schiltz)  
  
Against — (*Registered, but did not testify*: Chnequa Kirby Harrison)  
  
On — Jennifer Shuford, Department of State Health Services

**BACKGROUND:** Civil Practices and Remedies Code sec. 148.003 provides limited liability to certain individuals for injury or death caused by exposing an individual to a pandemic disease through an employee or contractor of the business.

**DIGEST:** HB 609 would amend Civil Practices and Remedies Code sec. 148.003 to include limited liability for business owners or operators that do not require their employees or contractors to be vaccinated against a pandemic disease.  
  
This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023. The bill would only apply to causes of action that accrued on or after the effective date of the bill.

**SUPPORTERS  
SAY:**

HB 609 would allow businesses to make vaccines optional for their employees or contractors without fear of being sued. Medical decisions, including deciding whether or not to get vaccinated, should be a personal decision. The bill would help to alleviate the need for businesses to choose between imposing vaccine requirements on their employees or protecting themselves from litigation, including frivolous lawsuits.

**CRITICS  
SAY:**

Under current law, businesses and operators can decide if they want to require their employees or contractors to be vaccinated. Businesses and operators should be held responsible for the consequences if their decision leads to injury or death.