

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

# A Bill

HOUSE BILL 1823

By: Representative Ladyman

## For An Act To Be Entitled

AN ACT TO REQUIRE EMPLOYEES OF FOOD SERVICE ESTABLISHMENTS TO BE IMMUNIZED OR VACCINATED AGAINST HEPATITIS A FOR THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE STATE OF ARKANSAS; AND FOR OTHER PURPOSES.

## Subtitle

TO REQUIRE EMPLOYEES OF FOOD SERVICE ESTABLISHMENTS TO BE IMMUNIZED OR VACCINATED AGAINST HEPATITIS A FOR THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE STATE OF ARKANSAS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 20, Chapter 57, Subchapter 2, is amended to add an additional section to read as follows:

20-57-209. Hepatitis A immunization or vaccination.

(a) The General Assembly finds that it is in the best interest of public health, safety, and welfare to require employees of food service establishments located within the State of Arkansas to be immunized or vaccinated against Hepatitis A to prevent the spread of the disease within the state.

(b)(1) An employee of a food service establishment shall have an immunization or vaccination against Hepatitis A and appropriate boosters as a condition of employment at a food service establishment.

(2) An employee of a food service establishment who has been



previously immunized or vaccinated against Hepatitis A is not required to undergo additional vaccination if the employee provides proof of the immunization or vaccination.

(3) The requirements of this section do not apply to:

(A) A pregnant woman; or

(B) An individual who objects on medical, religious, or philosophical grounds and provides documentation.

(c)(1) All food service establishments shall maintain records of the immunization or vaccination and appropriate boosters for each employee.

(2) The records shall be made available to the Department of Health or the investigators of the department upon request.

(d)(1) An individual or food service establishment that violates this section is subject to a fine of no less than fifty dollars (\$50) but not to exceed two hundred fifty dollars (\$250).

(2) Each day of a violation after notification constitutes a separate offense.

(3) Failure to comply with this section may result in civil and administrative penalties or sanctions, including without limitation suspension or revocation of a license.

(e) This section does not limit the ability of the State of Arkansas to take any action necessary to prevent or remedy any violation or protect the public health, safety, and welfare of the citizens of the state.