

e-Alert

07.06.21

New Florida Law Prohibits Requiring COVID-19 Vaccine Documentation

Background

Effective July 1, 2021, Florida passed a new law that will prohibit businesses from requiring COVID-19 vaccine documentation.

Summary

This law will prohibit all businesses, except for health care providers, from requiring COVID-19-related documentation from customers in order to enter or receive services from the business.

Additionally, the law prevents educational institutions and governmental entities from requiring persons, students, or residents to provide vaccine documentation or proof of post-infection recovery.

The prohibited documentation would include and certify the following:

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- Medical documentation that certifies whether an individual has received the COVID-19 vaccine
- Medical documentation that certifies post-infection recovery

The law will not prohibit businesses from:

- Using COVID-19 screening protocols consistent with government-issued guidance, including the use of facial coverings
- Requesting vaccine passports or a recent negative COVID-19 test to determine what protocols to follow, such as mandating a mask or social distancing (the business may not decline services or entry based on information provided)
- Requiring direct employees to show proof of vaccination (the business must consider how such a requirement may be affected by the Americans with Disabilities Act [ADA] see our e-Alert on this subject [here.](#))

Note: Violations of this law can result in a fine of no more than \$5,000 per occurrence.

Employer Next Steps

- If you are a Full-Service or Virtual HR client and would like our assistance with updating your policy, please [email us](#).
- If you have further questions regarding this e-alert, please [email us](#).

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