



THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

PROHIBITION OF COVID-19 VACCINE PASSPORTS

- WHEREAS:** On March 14, 2020, due to the impact of COVID-19 on the State of Georgia, I issued Executive Order No. 03.14.20.01, declaring a Public Health State of Emergency in Georgia pursuant to Code Section 38-3-51; and
- WHEREAS:** I have continued to renew the public health state of emergency declared via Executive Order 03.14.20.01 through the present in order to adequately maintain and continue the State's response to said emergency; and
- WHEREAS:** The COVID-19 pandemic has had a significant impact on this State and the residents and visitors thereof; and
- WHEREAS:** The State of Georgia implemented a COVID-19 vaccine distribution program in December of 2020; and
- WHEREAS:** The vaccine distribution program has been successful in vaccinating a significant percentage of Georgia's healthcare workers, elderly population, first responders, educators, medically fragile population, and other hardworking Georgians; and
- WHEREAS:** As a result of the state's successful vaccine distribution program, ample supply of COVID-19 tests and personal protective equipment, improved treatment methods for COVID-19 patients, and Georgia residents' efforts to minimize the spread of COVID-19 through social distancing, wearing face coverings, and hand sanitization, COVID-19 hospitalizations and the rate of new COVID-19 cases have steadily declined; and
- WHEREAS:** All individuals age 16 and older in Georgia are now eligible to receive the COVID-19 vaccine; and

- WHEREAS:** The State encourages all eligible residents and visitors to get vaccinated against COVID-19 and values the positive impact COVID-19 vaccination has on overcoming the pandemic and protecting the lives of hardworking Georgians; and
- WHEREAS:** The State also recognizes that the residents and visitors of Georgia have autonomy over their health and the decision to receive the COVID-19 vaccine is a personal choice based on many factors; and
- WHEREAS:** The State further recognizes that some residents and visitors of Georgia may not be able to receive a COVID-19 vaccine due to medical or other various reasons; and
- WHEREAS:** Individuals are not required by law or otherwise mandated to receive a COVID-19 vaccine; and
- WHEREAS:** An individual's COVID-19 vaccination records are private medical information; and
- WHEREAS:** The Georgia Constitution, Art. I, § I, Para. I provides that “[n]o person shall be deprived of life, liberty, or property except by due process of law;” and
- WHEREAS:** The Georgia Constitution, Art. V, § II, Para. I provides that “[t]he chief executive powers shall be vested in the Governor;” and
- WHEREAS:** As Chief Executive of this State, the Governor is tasked with protecting the liberty of the citizens of this State; and
- WHEREAS:** The protection of the individual liberty of the citizens of Georgia is of the utmost importance to the Governor and the State; and
- WHEREAS:** Any “Vaccine Passport Program,” which for the purposes of this Order shall mean any program that would determine the COVID-19 vaccination status of any individual in order to permit or prohibit such individual access to services, property, employment, or other rights or privileges based on such status, would restrict individual liberty and force Georgians into disclosing private medical information; and
- WHEREAS:** I have determined that the following actions are necessary and appropriate to protect the individual liberty of Georgia's residents and visitors.

NOW, THEREFORE, PURSUANT TO THE AUTHORITY VESTED IN ME AS THE GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY

ORDERED: That no state agency, provider of state services, or state property shall implement a Vaccine Passport Program or otherwise require an individual to provide proof of COVID-19 vaccination as a condition to enter the premises of or conduct business with a state agency, receive state services, enter upon state property, be employed by the State, or enjoy any other rights or privileges provided by the State.

IT IS FURTHER

ORDERED: That at no time shall a Vaccine Passport Program or any other requirement to show proof of COVID-19 vaccination be implemented for entry into the State of Georgia.

IT IS FURTHER

ORDERED: That no state or agency employee shall be afforded employment-related privileges, accommodations, or circumstances of employment or otherwise be held subject to different rules or requirements than other employees based solely on the COVID-19 vaccination status of such employee if actual proof of vaccination status is required in order to qualify for any such privileges, accommodations, circumstances, or different rules and requirements. This provision shall not affect the ability of employees to use emergency office closure leave for the purpose of receiving a COVID-19 vaccination or recovering from negative side effects of a COVID-19 vaccination as initially provided for by Executive Order 03.31.21.02, which was issued pursuant to the Public Health State of Emergency declared by Executive Order 03.14.20.01.

IT IS FURTHER

ORDERED: That no data from the Georgia Registry of Immunization Transactions and Services or any other COVID-19 vaccination data held by the State, or any agency or subdivision thereof, shall be used for a Vaccine Passport Program or for otherwise determining the COVID-19 vaccination status of any individual for the purpose of allowing or prohibiting such individual access to services, property, employment, or other rights or privileges based on such status.

IT IS FURTHER

ORDERED: That no data from the Georgia Registry of Immunization Transactions and Services shall be shared with any public or private entity for the purpose of facilitating a Vaccine Passport Program or

for otherwise determining the COVID-19 vaccination status of any individual for the purpose of allowing or prohibiting such individual access to services, property, employment, or other rights or privileges based on such status.

IT IS FURTHER

ORDERED: That no provision of this Order shall be construed to prevent or prohibit individuals from lawfully obtaining or gaining access to their individual vaccination records from their medical provider(s) or the Georgia Department of Public Health or any subdivision thereof.

IT IS FURTHER

ORDERED: That no provision of this Order regarding employment shall apply to state employers that require vaccinations other than the COVID-19 vaccine as a condition of employment and have done so since January of 2020 or earlier.

IT IS FURTHER

ORDERED: That if one or more of the provisions contained in this Order shall conflict with the provisions of any previous Executive Order or Agency Administrative Order, the provisions of this Order shall control.

IT IS FURTHER

ORDERED: That if one or more of the provisions contained in this Order shall be held to be invalid, in violation of the Georgia Constitution, in violation of Georgia law, or unenforceable in any respect, such invalidity, violation, or unenforceability shall not affect any other provisions of this Order, but, in such case, this Order shall be construed as if such invalid, illegal, or unenforceable provision had never been contained within the Order.

IT IS FURTHER

ORDERED: That no provision of this Order shall limit, infringe, suspend, or supplant any judicial order, judgment, or decree issued pursuant to the laws or constitution of this State or the laws or constitution of the United States, nor shall any person use any provision this Order as a defense to an action in violation of a judicial order, judgment, or decree by any court created pursuant to the laws or constitution of this State or the laws or constitution of the United States.

IT IS FURTHER

ORDERED: This Order does not attempt, nor shall it be construed, to imply that the Governor, in any instance, has the unilateral authority to overturn any judicial order, judgment, or decree.

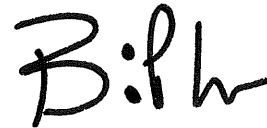
IT IS FURTHER

ORDERED: The Office of the Governor may issue guidance on the scope of this Order as needed through communication media, including social media, without need for further Executive Orders.

IT IS FURTHER

ORDERED: That this Order shall be effective upon signature.

This 25th day of May 2021.



GOVERNOR