

§ 160A-499.10. COVID-19 vaccination; requirement prohibited and exemption.

(a) No city may require any person, including an applicant for employment or an employee, to provide proof of a COVID-19 vaccination or to submit to a COVID-19 vaccination or a series of COVID-19 vaccinations, unless the exemption in subsection (b) of this section applies. For purposes of this section, the following definitions apply:

- (1) Applicant for employment. – Any person who seeks to be permitted, required, or directed by a city or any person employed by a city to engage in employment in consideration of direct or indirect gain or profit.
 - (2) COVID-19. – The coronavirus disease of 2019.
 - (3) Employee. – As defined in G.S. 160A-169(b)(1).
- (b) An exemption to subsection (a) of this section applies to the following:
- (1) Any employee, vendor, volunteer, trainee, or student that is required by a facility certified by the Centers for Medicare and Medicaid Services to show proof of a COVID-19 vaccination, or to submit to a COVID-19 vaccination or COVID-19 series of vaccinations.
 - (2) An employee employed by any entity that receives federal funding if complying with subsection (a) of this section would result in the loss of that federal funding.
 - (3) An employee employed by the Department of Health and Human Services in the Division of State Operated Healthcare Facilities if the Department requires the COVID-19 vaccination or series of vaccinations for that employee. (2023-134, s. 5.8(d).)