

R21-006

From: Kelly Townsend <ktownsend@azleg.gov>
Sent: Friday, March 19, 2021 2:22 PM
To: Kredit, Joshua; Anderson, Ryan; Brnovich, Mark
Subject: Opinion requested

Gentlemen,

I wanted to formally request an opinion regarding proof of Covid vaccination as it relates to a person's ability to patronize a private business. The question is, can a private company compel an individual to prove that they have received a vaccination before that person can patronize the business? For example, can a domestic airline carrier require proof of vaccination as a prerequisite for flying, under their contract of carriage? What about a restaurant, gym, clothing store, etc? Are there any other instances where a private company can demand personal medical information as a prerequisite for patronage?

Thank you,

Senator Kelly J. Townsend
Member, Legislative District 16
602.926.4467
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From: Kelly Townsend [<mailto:ktownsend@azleg.gov>]
Sent: Tuesday, March 30, 2021 2:20 PM
To: Kredit, Joshua; Anderson, Ryan; Brnovich, Mark
Subject: Follow up question

Gentlemen,

Upon receiving multiple emails with concerns regarding whether an employer can require a COVID-19 vaccine as a condition of employment, would you please offer an opinion as to the rights of a private citizen to be compelled to get a vaccine in order to maintain or obtain employment? I understand there has been precedent in the past regarding schools and medical facilities, however I am particularly interested in general employment in non-essential, non-medical, or non-educational situations. For example, can the owner of a retail store require their employees to be vaccinated in order to be employed? In light of Arizona being a right to work state, I believe it would be important for your office to release an opinion on where we all stand regarding this issue. I appreciate your time.

Thank you,

Senator Kelly J. Townsend
Member, Legislative District 16
602.926.4467
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