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# BRIAN HARRISON

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TEXAS STATE REPRESENTATIVE  
DISTRICT 10

## **HB 168: Texas COVID Vaccine Freedom Act Fact Sheet**

### **Summary**

House Bill 168, the Texas COVID Vaccine Freedom Act, is the broadest, most comprehensive, and most legally defensible assertion of individual liberty with respect to medical decisions to date; protecting Texans against all COVID-19 vaccine mandates.

HB 168 has the effect of banning forced COVID vaccines, without being burdensome on businesses or healthcare providers, by confirming the rights of Texans to give informed consent before receiving this medical treatment, making it illegal to administer a COVID-19 vaccine without receiving informed consent, and empowering an individual with the ability to take legal action if forcibly vaccinated against their wishes by a vaccinator.

### **Background**

Many entities within Texas have or are attempting to require COVID-19 vaccinations of Texans against their will. Additionally, the Federal government, in a completely unprecedented announcement, has committed to mandating forced vaccination of private citizens, including Texans, against their will. States like Texas must resist this overreach to protect its sovereignty and the rights and liberties of its citizens.

Forced COVID-19 vaccination is inconsistent with informed consent, which is a bedrock principle of federal and state law in all 50 states. The concept of informed consent makes clear that Texans, and all Americans, have the right to be fully informed about a medical treatment, so that they may make the personal decision to decline or undergo the medical treatment. Medical ethics incorporates this concept and require individuals to be aware of recommended treatments and be allowed to deny treatments.

### **Key Provisions of the Bill**

HB 168 prohibits all mandates for COVID-19 vaccines from both governmental or private entities – unless the individual to be vaccinated provides informed consent. The bill makes clear that any individual who is coerced or forced to receive a vaccine against their wishes cannot provide informed consent.

The bill also prohibits anyone from vaccinating any individual without their informed consent and from taking an adverse action or imposing a penalty against an individual for not receiving a COVID-19 vaccine.

Finally, the bill authorizes the Attorney General to bring an action for injunctive relief against a person or entity for violating the act and makes a healthcare provider who administers a COVID-19 vaccine without informed consent liable for damages in an amount of not less than \$5,000.

### **Staff Contact**

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