



(Original Signature of Member)

117TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To protect covered entities that take measures to comply with the guidelines of the Centers for Disease Control and Prevention to prevent or mitigate the spread of the virus that causes COVID–19, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Ms. LOIS FRANKEL of Florida introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To protect covered entities that take measures to comply with the guidelines of the Centers for Disease Control and Prevention to prevent or mitigate the spread of the virus that causes COVID–19, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Let Our Cities and  
5 Local Businesses Help Employees Achieve Long-Term  
6 Health Act” or the “LOCAL HEALTH Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the followings:

3 (1) According to the Department of Health and  
4 Human Services, a nationwide public health emer-  
5 gency caused by the COVID–19 pandemic began on  
6 January 27, 2020.

7 (2) To curb the spread of the disease, State  
8 and local governments enacted necessary restrictions  
9 on businesses.

10 (3) On June 8, 2020, the National Bureau of  
11 Economic Research announced that the United  
12 States entered into a recession in March, 2020.

13 (4) According to the Bureau of Labor Statis-  
14 tics, in April, 2020, the nationwide unemployment  
15 rate of 14.7 percent was the highest recorded  
16 monthly rate since the Great Depression.

17 (5) By August, 2021, the unemployment rate  
18 was down to 5.2 percent, still 1.7 percent higher  
19 than in February, 2020, before the pandemic began.

20 (6) The duration of unemployment has in-  
21 creased over the course of the pandemic.

22 (7) The percentage of unemployed individuals  
23 who have been unemployed for 27 weeks or more  
24 was 37.4 percent in August, 2021, compared to 19.3  
25 percent in February, 2020.

1           (8) As of August, 2021, 5.6 million people re-  
2           ported being unable to work because an employer  
3           closed or lost significant employees during the pan-  
4           demic.

5           (9) The decline in gross domestic product in the  
6           second quarter of 2020 of 31.4 percent was the  
7           highest rate of decline since before World War II.

8           (10) In the initial months of the pandemic, 74  
9           percent of small employers reported revenue loss.

10          (11) Although the economy has improved since  
11          April, 2020, many indicators show the economy has  
12          not fully recovered, and in some cases, economic re-  
13          covery is slowing.

14          (12) Experts at the Centers for Disease Control  
15          and Prevention, World Health Organization, and  
16          other public health experts in the United States and  
17          around the world have identified proven measures to  
18          curb the spread of the virus that causes COVID-19,  
19          including the use of properly fitted masks and other  
20          face coverings, social distancing, and mass vaccina-  
21          tion.

22          (13) As of September 17, 2021, the Commis-  
23          sioner of Food and Drugs has approved one vaccine  
24          and issued emergency use authorizations for two ad-  
25          ditional vaccines, all of which have proven to signifi-

1           cantly reduce the rate of infection of COVID–19 and  
2           the risk of serious disease, hospitalization, and  
3           death.

4           (14) The widespread use of these measures has  
5           allowed many employers, schools, and other entities  
6           to safely resume prepandemic operations.

7           (15) Studies show that full vaccination against  
8           SARS–CoV–2 is between 85 to 95 percent effective  
9           in preventing infection and between 96 and 100 per-  
10          cent effective in preventing severe, critical, or fatal  
11          disease.

12          (16) School closures due to COVID–19 have  
13          impacted labor force participation.

14          (17) Between February and September, 2020,  
15          approximately 900,000 mothers and 300,000 fathers  
16          left the workforce.

17          (18) One in ten working mothers quit a job due  
18          to COVID–19 and more than half reported school  
19          closures as a reason for leaving the workforce.

20          (19) Three out of ten working mothers missed  
21          work due to school or daycare closures.

22          (20) The Centers for Disease Control and Pre-  
23          vention has found that mask mandates have helped  
24          schools stay open and avoid outbreaks of COVID–  
25          19.

1 **SEC. 3. PROTECTIONS FOR COMPLYING WITH GUIDELINES**  
2 **OF THE CENTERS FOR DISEASE CONTROL**  
3 **AND PREVENTION.**

4 (a) **IN GENERAL.**—Subject to subsection (b), each  
5 covered entity may take measures to prevent or mitigate  
6 the spread of the virus that causes COVID–19 in accord-  
7 ance with the guidelines of the Centers for Disease Control  
8 and Prevention in effect as of the date of such measures.

9 (b) **EXCEPTIONS.**—This section does not authorize a  
10 covered entity to take measures that are inconsistent  
11 with—

12 (1) accommodations required under the Ameri-  
13 cans with Disabilities Act of 1990 (42 U.S.C. 12101  
14 et seq.); or

15 (2) exemptions for sincerely held religious be-  
16 liefs that are required under applicable law.

17 (c) **MEASURES INCLUDED AND OTHER MEASURES IN**  
18 **ACCORDANCE WITH CDC GUIDELINES.**—A measure  
19 under subsection (a) may include a requirement with re-  
20 spect to—

21 (1) the use of a properly fitted mask or other  
22 face covering;

23 (2) a covered entity verifying the vaccination  
24 status of an employee or an individual;

25 (3) an employee or individual undergoing a di-  
26 agnostic test; and

1           (4) a covered entity ensuring that employees  
2           and individuals maintain a sufficient distance when  
3           possible.

4           (d) STATE PREEMPTION.—No State may establish,  
5           enforce, or continue in effect a State law or regulation  
6           that prohibits or restricts any measure to the extent such  
7           measure is authorized by this section.

8           (e) IMMUNITY.—A covered entity, including an em-  
9           ployee or officer thereof carrying out the directive of a cov-  
10          ered entity pursuant to a measure under this Act, shall  
11          be immune from suit and liability under Federal and State  
12          law with respect to all claims, including State enforcement  
13          actions, caused by, arising out of, relating to, or resulting  
14          from a measure taken pursuant to this Act, unless such  
15          measure involves negligent behavior or willful misconduct.

16          (f) COVERED ENTITY DEFINED.—In this Act, the  
17          term “covered entity” means—

18                 (1) a private business; or

19                 (2) a local, county, or municipal government or  
20                 agency.