

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of a Resolution Opposing COVID-19 Vaccine Passports

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RESOLUTION 21-05-27-1

WHEREAS, an individual's COVID-19 vaccination status and records are protected health information which should not be required to be shared by mandate and requiring someone to show verification of vaccination in the form of a COVID -19 "vaccine passport" infringes on rights protected under the U.S. and Oregon Constitutions, which no health order, emergency order, state of emergency, municipal ordinance, regulation or policy may suspend or violate; and

WHEREAS, COVID-19 “vaccine passports” reduce individual freedom and will harm patient privacy and forcing a person to wear a mask or show a “vaccine passport” violates a person’s right to privacy and could result in a business being reported to the US Department of Justice for a civil rights violation; and;

WHEREAS, prohibiting entry to a place of “public accommodation” to someone who is unable or unwilling to wear a mask or who has chosen not to be vaccinated violates state and federal anti-discrimination laws and entry to such places may not be prohibited because of their legally protected status; and

WHEREAS, no government or business entity should compel disclosure of protected health information by mandating a “vaccine passport” for COVID-19 or by otherwise conditioning receipt of services on whether or not an individual wears a mask or on an individual’s COVID-19 vaccination status and, unless you are a licensed medical professional, requiring someone to wear a mask, which is a form of medical intervention, may be unlawful; and

WHEREAS, requiring “COVID-19 passports” for taking part in everyday life- such as for employment, attending school or sporting events, patronizing a restaurant, or going to a movie theater- would create two classes of citizens based on vaccination; and

WHEREAS, Oregon law does not require Oregonians receive a COVID-19 vaccine and it is a personal choice and some Oregonians because of their age, medical condition, religious or philosophical objection are unable to receive a vaccine; and

WHEREAS, it is necessary to prohibit discrimination against individuals who have not been vaccinated against COVID-19 and any person who holds a license pursuant to the business and professions code of the State of Oregon is subject to potential legal action for discrimination if that person restricts the performance of, or refuses to perform the licensed activity because of a person's race, color, sex, religion, ancestry, disability, marital status or national origin.

WHEREAS, it is necessary to protect the fundamental rights and privacies of Yamhill County residents.

NOW THEREFORE, BE IT RESOLVED, that the Yamhill County Board of Commissioners recommends as follows:

1. No Yamhill County business, entity, board, agency, department, political subdivision, agent or assigns should:
 - a. Require as a condition for accessing services or facilities that an individual produce proof that he or she has received a COVID-19 vaccine before allowing them to enter without a mask or receive services; or
 - b. Require the production or issuance of a COVID-19 "vaccine passport" for the purpose of certifying that an individual has received a COVID-19 vaccine; or
 - c. Knowingly provide information of an individual's COVID-19 vaccine status to any person company, or government entity for inclusion in a COVID-19 "vaccine passport" program.
2. All county agencies should work to ensure businesses are aware of this information.
3. This Resolution does not, and shall not be construed to, prohibit, restrict, or otherwise limit the right of an individual to access his or her own personal health information under state or federal law.

DONE this 27th of May, 2021.

YAMHILL COUNTY BOARD OF COMMISSIONERS



Commissioner, Chair

MARY STARRETT



Commissioner, Vice-Chair

LINDSAY BERSCHAUER



Commissioner,

CASEY KULLA

