

STATE OF FLORIDA

OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 21-81

(Prohibiting COVID-19 Vaccine Passports)

WHEREAS, on March 9, 2020, I issued Executive Order 20-52, subsequently extended, declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

WHEREAS, on December 23, 2020, I issued Executive Order 20-315, as subsequently extended by Executive Orders 21-46, 21-47, 21-62, 21-67, and 21-79, directing Florida's initial phase of vaccine distribution and prioritizing seniors first; and

WHEREAS, the State of Florida is leading the effort to distribute the vaccine to elderly and vulnerable populations of the State and has successfully provided vaccines to nearly 3.5 million seniors; and

WHEREAS, many Floridians have not yet had the opportunity to obtain a COVID-19 vaccination, some have infection-acquired immunity, and others may be unable to obtain a COVID-19 vaccination due to health, religious, or other reasons; and

WHEREAS, Florida seeks to ensure that every Floridian who desires a COVID-19 vaccine can obtain one, but such vaccines will not be mandated; and

WHEREAS, no COVID-19 vaccine is required by law; and

WHEREAS, individual COVID-19 vaccination records are private health information which should not be shared by mandate; and

WHEREAS, so-called COVID-19 vaccine passports reduce individual freedom and will harm patient privacy; and

WHEREAS, requiring so-called COVID-19 vaccine passports for taking part in everyday life—such as attending a sporting event, patronizing a restaurant, or going to a movie theater—would create two classes of citizens based on vaccination; and

WHEREAS, it is necessary to protect the fundamental rights and privacies of Floridians and the free flow of commerce within the state.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the Florida Emergency Management Act, as amended, and all other applicable laws, promulgate the following Executive Order:

Section 1. No Florida government entity, or its subdivisions, agents, or assigns, shall be permitted to issue vaccine passports, vaccine passes, or other standardized documentation for the purpose of certifying an individual's COVID-19 vaccination status to a third party, or otherwise publish or share any individual's COVID-19 vaccination record or similar health information.

Section 2. Businesses in Florida are prohibited from requiring patrons or customers to provide any documentation certifying COVID-19 vaccination or post-transmission recovery to gain access to, entry upon, or service from the business.

Section 3. All executive agencies under my direction shall work to ensure businesses comply with this order. Any provision of Florida Statutes is hereby suspended solely to the extent it restricts a Florida agency from requiring compliance with this order as a condition for a license, permit, or other state authorization necessary for conducting business in Florida.

Section 4. All businesses must comply with this order to be eligible for grants or contracts funded through state revenue.

Section 5. The requirements in this order do not otherwise restrict businesses from instituting COVID-19 screening protocols in accordance with state and federal law to protect

public health, and nothing herein shall be construed to interfere with individuals' rights to access their own personal health information under federal law.

Section 6. This order is effective immediately and shall remain in effect for the duration of Executive Order 20-52, as extended.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 2nd day of April, 2021.

Ron DeSantis
RON DESANTIS, GOVERNOR

ATTEST:

Laurel M. Kee
SECRETARY OF STATE

DEPARTMENT OF STATE
TALLAHASSEE, FL

2021 APR - 2 PM 12: 25

FILED