SB246

AJXKQ7Q-1

By Senators Orr, Chesteen

RFD: Education Policy

First Read: 21-Mar-24

SYNOPSIS:

Under existing law, a student at a K-12 school may be exempt from vaccination or testing requirements for religious or medical reasons.

Existing law does not provide for vaccination or testing requirements for students at a public institution of higher education.

This bill would clarify that a parent or guardian's written declaration is sufficient documentation to exempt his or her child from a vaccine requirement for religious reasons.

This bill would also provide that, if a public institution of higher education requires students to be vaccinated or tested for a disease, that a student may be exempt for medical reasons or because he or she objects for religious reasons.

A BILL

TO BE ENTITLED

AN ACT

Relating to vaccines; to amend Section 16-30-3, Code of Alabama 1975; to further provide for the process to exempt a student at a public K-12 school from vaccine requirements for

religious reasons; and to require public institutions of higher education to provide medical and religious exemptions to vaccine or testing requirements.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the Alabama Vaccination Exemption Bill.

Section 2. Section 16-30-3, Code of Alabama 1975, is amended to read as follows:

"§16-30-3

The provisions of this chapter shall not apply if:

(1)a. ~~In the absence of an epidemic or immediate threat thereof, the~~The parent or guardian of the child ~~shall object thereto~~ objects in writing on grounds that ~~such~~ the vaccination~~immunization~~ or testing conflicts with his or her religious tenets and practices~~; or~~.

b. A written statement provided by a child's parent or guardian to the local board of education declaring that he or she wishes to exempt his or her child from any vaccination or testing requirement pursuant to this subdivision shall constitute an exemption. The parent or guardian may not be required to explain the reason for the exemption, certify the exemption with any third party, or otherwise receive approval from the local board of education or any other entity.

(2) Certification by a competent medical authority providing individual exemption from the required ~~immunization~~ vaccination or testing is presented to the admissions officer of the school."

Section 3. A public institution of higher education, as

defined in Section 16-5-1, Code of Alabama 1975, shall not require a student to receive any vaccine or be tested for any disease as a condition for enrollment or attendance unless the public institution of higher education offers both of the following exemptions to the vaccine and testing requirements:

(1) A religious exemption. A student wishing to be exempt pursuant to this subdivision may submit a written statement to the public institution of higher education declaring that he or she wishes to be exempt because the vaccination or testing conflicts with his or her religious tenets and practices. The student shall not be required to explain the reason for the exemption, certify the exemption with any third party, or otherwise receive approval from the public institution of higher education or any other entity.

(2) A medical exemption. A student wishing to be exempt pursuant to this subdivision may submit to the public institution of higher education a written statement from a competent medical authority certifying that the student is exempt from the required vaccination or testing.

Section 4. This act shall become effective on October 1, 2024.