

7016

2015-2016 Regular Sessions

I N   A S S E M B L Y

April 20, 2015

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Introduced by M. of A. SIMOTAS -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to the religious exemption from mandatory immunization of a child

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 9 of section 2164 of the public health law, as  
2     separately amended by chapters 405 and 538 of the laws of 1989, is  
3     amended to read as follows:  
4     9. This section shall not apply to [children] A CHILD whose parent,  
5     parents, or guardian hold genuine and sincere religious beliefs which  
6     are contrary to the practices [herein] required BY THIS SECTION, and no  
7     certificate shall be required as a prerequisite to such [children] CHILD  
8     being admitted or received into school or attending school. PROVIDED,  
9     HOWEVER, THAT THE EXEMPTION GRANTED BY THIS SUBDIVISION SHALL ONLY APPLY  
10    TO A CHILD WHOSE PARENT, PARENTS OR GUARDIAN HAS SUBMITTED TO THE  
11    SCHOOL, WHICH THE CHILD IS TO BE ADMITTED OR ATTENDS, AN AFFIDAVIT,  
12    SIGNED BY A PHYSICIAN LICENSED PURSUANT TO ARTICLE ONE HUNDRED  
13    THIRTY-ONE OF THE EDUCATION LAW AND AUTHORIZED TO ADMINISTER IMMUNIZA-  
14    TIONS, STATING THAT SUCH PHYSICIAN HAS INFORMED AND DISCUSSED WITH SUCH  
15    PARENT, PARENTS OR GUARDIAN THE MEDICAL RISKS TO THE CHILD AND TO OTHER  
16    INDIVIDUALS OF FAILING TO BE IMMUNIZED IN ACCORDANCE WITH THIS SECTION,  
17    BASED UPON INFORMATION RELATING THERETO ISSUED BY THE FEDERAL CENTERS  
18    FOR DISEASE CONTROL.  
19    S 2. This act shall take effect on the thirtieth day after it shall  
20    have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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