

4733--A

2015-2016 Regular Sessions

I N   S E N A T E

April 13, 2015

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Introduced by Sens. GIANARIS, ADDABBO, HOYLMAN, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 amended by chapter 401 of the laws of 2015, is amended to read as  
3 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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