

STATE OF NEW YORK

6141--D

2017-2018 Regular Sessions

IN SENATE

May 11, 2017

Introduced by Sens. GOLDEN, ALCANTARA, AVELLA, BOYLE, GALLIVAN, HAMILTON, LANZA, MURPHY -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Education 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 education law, in relation to admission of certain unvaccinated students to public schools

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The education law is amended by adding a new section 3201-b
2 to read as follows:

3 § 3201-b. Procedure for religious exemption from vaccination require-
4 ment. 1. Legislative intent. The legislature hereby finds and declares
5 that to effectuate the provisions of subdivision nine of section twen-
6 ty-one hundred sixty-four of the public health law, a uniform form that
7 shall be used by parents is necessary.

8 2. The definitions of terms in section twenty-one hundred sixty-four
9 of the public health law shall apply to this section. This section shall
10 only apply with respect to admission or receiving of a child into a
11 school or attending a school referred to in section one of article elev-
12 en of the New York state constitution, including a charter school,
13 pursuant to subdivision nine of section twenty-one hundred sixty-four of
14 the public health law.

15 3. Where a child's parent, parents or guardian claim that section
16 twenty-one hundred sixty-four of the public health law shall not apply
17 to the child because the parent, parents, or guardian hold genuine and

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

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sincere religious beliefs which are contrary to the practices required in such section, the child shall be deemed to have complied with that section and no certificate under that section shall be required as a prerequisite to such child being admitted or received into school or attending school pursuant to subdivision nine of section twenty-one hundred sixty-four of the public health law, provided that the parent, parents or guardian file with the school a religious beliefs exemption form under subdivision four of this section.

4. Religious beliefs exemption form. Any parent, parents, or guardian requesting an exemption from the vaccination requirements of subdivision nine of section twenty-one hundred sixty-four of the public health law based upon his, her or their genuine and sincere religious beliefs that are contrary to the practices prescribed by such section shall complete the following religious beliefs exemption form and file it with the school:

RELIGIOUS BELIEFS VACCINATION EXEMPTION FORM

(a) Name(s) of parent, parents or guardian: _____

(b) Name of child: _____

(c) Child's birthdate: _____

(d) Child's home address: _____

I/we _____, as the parent, parents, or guardian of the above-named child, request a religious beliefs exemption from the vaccination requirements of Public Health Law section 2164 for such child because I/we hold a genuine and sincere religious belief that is contrary to such vaccination practices.

(Signature of parent or guardian) _____ (Date) _____

(Signature of parent or guardian) _____ (Date) _____

§ 2. This act shall take effect on the thirtieth day after it shall have become a law.