STATE OF NEW YORK

8123--A

2017-2018 Regular Sessions

IN ASSEMBLY

May 31, 2017

Introduced by M. of A. GOTTFRIED -- read once and referred to the Committee on Education -- 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:

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

§ 3201-b. Procedure for religious exemption from vaccination requirement. 1. The definitions of terms in section twenty-one hundred sixty-four of the public health law shall apply to this section. This section shall apply notwithstanding any general, special, local law or rule or regulation to the contrary. This section shall only apply with respect to admission or receiving of a child into a school, or attending a school, referred to in section one of article eleven of the New York state constitution, including a charter school.

2. Where a child's parent, parents or guardian claim that section twenty-one hundred sixty-four of the public health law shall not apply to the child because the parent, parents, or guardian hold genuine and 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, provided that the parent, parents or guardian file with the school a religious beliefs exemption form under subdivision three of this section.

3. Religious beliefs exemption form. Any parent, parents, or guardian requesting an exemption from the vaccination requirements 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

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

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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.