# STATE OF NEW YORK

1135

2019-2020 Regular Sessions

# IN ASSEMBLY

January 14, 2019

Introduced by M. of A. SIMOTAS, BUCHWALD -- Multi-Sponsored by -- M. of A. ARROYO, DINOWITZ, McDONOUGH -- 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:**

Section 1. Subdivision 9 of section 2164 of the public health law, as amended by chapter 401 of the laws of 2015, is amended to read as follows:

9. This section shall not apply to [~~children~~] **a child** whose parent, parents, or guardian hold genuine and sincere religious beliefs which are contrary to the practices [~~herein~~] required **by this section**, and no certificate shall be required as a prerequisite to such [~~children~~] **child** being admitted or received into school or attending school. **Provided, however, that the exemption granted by this subdivision shall only apply to a child whose parent, parents or guardian has submitted to the school, which the child is to be admitted or attends, an affidavit, signed by a physician licensed pursuant to article one hundred thirty-one of the education law and authorized to administer immunizations, stating that such physician has informed and discussed with such parent, parents or guardian the medical risks to the child and to other individuals of failing to be immunized in accordance with this section, based upon information relating thereto issued by the federal Centers for Disease Control.**

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

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

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