

STATE OF NEW YORK

2289

2019-2020 Regular Sessions

IN SENATE

January 23, 2019

Introduced by Sens. GIANARIS, ADDABBO, HOYLMAN, STAVISKY -- read twice
and ordered printed, and when printed to be committed 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 Assem-
bly, 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 thirty-
13 one of the education law and authorized to administer immunizations,
14 stating that such physician has informed and discussed with such parent,
15 parents or guardian the medical risks to the child and to other individ-
16 uals of failing to be immunized in accordance with this section, based
17 upon information relating thereto issued by the federal Centers for
18 Disease Control.

19 § 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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