

COMMITTEE ON APPROPRIATIONS  
SENATE AMENDMENTS TO H.B. 2190  
(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 " Section 1. Section 36-787, Arizona Revised Statutes, is amended to  
3 read:

4 36-787. Public health authority during state of emergency or  
5 state of war emergency

6 A. During a state of emergency or state of war emergency ~~declared~~  
7 **PROCLAIMED** by the governor in which there is an occurrence or imminent  
8 threat of an illness or health condition **THAT IS** caused by bioterrorism, an  
9 epidemic or pandemic disease or a highly fatal infectious agent or  
10 biological toxin and that poses a substantial risk of a significant number  
11 of human fatalities or incidents of permanent or long-term disability, the  
12 department shall coordinate all matters pertaining to the public health  
13 emergency response of the state. The department has primary jurisdiction,  
14 responsibility and authority for:

15 1. Planning and executing public health emergency assessment,  
16 mitigation, preparedness response and recovery for this state.

17 2. Coordinating public health emergency response among state, local  
18 and tribal authorities.

19 3. Collaborating with relevant federal government authorities,  
20 elected officials of other states, private organizations and private sector  
21 companies.

22 4. Coordinating recovery operations and mitigation initiatives  
23 subsequent to public health emergencies.

24 5. Organizing public information activities regarding state public  
25 health emergency response operations.

26 6. Establishing, in conjunction with applicable professional  
27 licensing boards, a process ~~for~~ **TO GRANT A** temporary waiver of the

1 professional licensure requirements necessary ~~for the implementation of~~ TO  
2 IMPLEMENT any measures required to adequately address the state of  
3 emergency or state of war emergency.

4 7. Granting temporary waivers of health care institution licensure  
5 requirements necessary ~~for implementation of~~ TO IMPLEMENT any measures  
6 required to adequately address the state of emergency or state of war  
7 emergency.

8 B. In addition to the authority provided in subsection A of this  
9 section, during a state of emergency or state of war emergency, the  
10 governor, in consultation with the director of the department of health  
11 services, may issue orders that:

- 12 1. Mandate medical examinations for exposed persons.
- 13 2. Ration medicine and vaccines.
- 14 3. Provide for transportation of medical support personnel and ill  
15 and exposed persons.
- 16 4. Provide for procurement of medicines and vaccines.

17 C. In addition to the authority provided in subsections A and B OF  
18 THIS SECTION, during a state of emergency or state of war emergency in  
19 which there is an occurrence or the imminent threat of smallpox, plague,  
20 viral hemorrhagic fevers or a highly contagious and highly fatal disease  
21 with transmission characteristics similar to smallpox, the governor, in  
22 consultation with the director of the department of health services, may  
23 issue orders that:

- 24 1. Mandate treatment ~~or vaccination~~ of persons who are diagnosed  
25 with AN illness resulting from exposure or who are reasonably believed to  
26 have been exposed or who may reasonably be expected to be exposed.
- 27 2. Isolate and quarantine persons.

28 D. Law enforcement officials of this state and the national guard  
29 shall enforce orders issued by the governor under this section.

30 E. Diseases subject to this section do not include acquired immune  
31 deficiency syndrome or ANY other infection caused by the human  
32 immunodeficiency virus.

1 F. If during a state of emergency or state of war emergency the  
2 public health is not endangered, ~~nothing in~~ this title ~~shall~~ DOES NOT  
3 authorize the department or any of its officers or representatives to  
4 impose on any person against the person's will any mode of treatment,  
5 provided that sanitary or preventive measures and quarantine laws are  
6 complied with by the person. ~~Nothing in~~ This title ~~shall~~ DOES NOT  
7 authorize the department or any of its officers or representatives to  
8 impose on any person contrary to ~~his~~ THE PERSON'S religious concepts any  
9 mode of treatment, provided that sanitary or preventive measures and  
10 quarantine laws are complied with by the person.

11 G. At the governor's direction, the department may use reasonable  
12 efforts to assist the persons and institutions affected by the state of  
13 emergency or state of war emergency ~~declared~~ PROCLAIMED pursuant to this  
14 section in seeking reimbursement of costs incurred as a result of providing  
15 services related to ~~the implementation of~~ IMPLEMENTING isolation and  
16 quarantine under this article to the extent these services are not  
17 otherwise subject to reimbursement.

18 Section 2. Title 36, Arizona Revised Statutes, is amended by adding  
19 chapter 16, to read:

20 CHAPTER 16

21 VACCINE REQUIREMENTS PROHIBITED

22 ARTICLE 1. GENERAL PROVISIONS

23 36-1801. Business entities

24 A BUSINESS ENTITY DOING BUSINESS IN THIS STATE MAY NOT REFUSE TO  
25 PROVIDE ANY SERVICE, PRODUCT, ADMISSION TO A VENUE OR TRANSPORTATION TO A  
26 PERSON BECAUSE THAT PERSON HAS OR HAS NOT RECEIVED A VACCINE.

27 36-1802. Ticket issuers

28 A TICKET ISSUER MAY NOT PENALIZE, DISCRIMINATE AGAINST OR DENY ACCESS  
29 TO AN ENTERTAINMENT EVENT TO A TICKET HOLDER BECAUSE THE TICKET HOLDER HAS  
30 OR HAS NOT RECEIVED A VACCINE.

31 36-1803. Government vaccine requirements prohibited;  
32 exceptions

