HB 2423

Introduced by
Representatives Carroll: Nutt, Wilmeth

AN ACT

AMENDING TITLE 36, CHAPTER 6, ARTICLE 4.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-675; RELATING TO IMMUNIZATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Heading change

The article heading of title 36, chapter 6, article 4.1, Arizona Revised Statutes, is changed from "SCHOOL IMMUNIZATION" to "IMMUNIZATIONS".

Sec. 2. Title 36, chapter 6, article 4.1, Arizona Revised Statutes, is amended by adding section 36-675, to read:

36-675. Required immunizations; exemption; criteria

A. NOTWITHSTANDING ANY OTHER LAW, A PERSON WHO IS REQUIRED TO RECEIVE AN IMMUNIZATION FOR ANY PURPOSE, INCLUDING AS A CONDITION OF EMPLOYMENT, SCHOOL ATTENDANCE OR OBTAINING ANY LICENSE, CERTIFICATION OR DEGREE, MAY CLAIM AN EXEMPTION FROM THE IMMUNIZATION REQUIREMENT IF THERE IS NOT A VACCINE APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION AVAILABLE TO FULFILL THE REQUIREMENT AND ALL OF THE FOLLOWING APPLY:

1. THE PIVOTAL CLINICAL TRIAL ON WHICH THE UNITED STATES FOOD AND DRUG ADMINISTRATION RELIED FOR APPROVAL OF THE VACCINE EVALUATED THE VACCINE'S SAFETY FOR AT LEAST ONE YEAR AFTER THE VACCINE WAS ADMINISTERED AGAINST A CONTROL GROUP THAT RECEIVED EITHER:

   (a) A PLACEBO.

   (b) ANOTHER APPROVED VACCINE THAT WAS LICENSED BASED ON A PIVOTAL CLINICAL TRIAL THAT EVALUATED THE SAFETY OF THAT VACCINE AGAINST A CONTROL GROUP THAT RECEIVED A PLACEBO.

2. THE DEPARTMENT POSTS ON ITS WEBSITE ANY KNOWN INJURY OR DISEASE CAUSED BY THE VACCINE AND THE RATE AT WHICH THE INJURY OR DISEASE FROM THE VACCINE OCCURS.

3. THE RISK OF PERMANENT DISABILITY OR DEATH FROM THE VACCINE HAS BEEN PROVEN TO BE LESS THAN THAT CAUSED BY THE INFECTION IT IS INTENDED TO PREVENT.

B. A PERSON MAY CLAIM THE EXEMPTION IN SUBSECTION A OF THIS SECTION ON THE PERSON'S OWN BEHALF OR ON BEHALF OF THE PERSON'S CHILD OR DEPENDENT. THE DEPARTMENT OR ANY OTHER STATE AGENCY, BOARD OR COMMISSION MAY NOT REQUIRE THE PERSON TO MEET ANY OTHER CONDITION OR REQUIREMENT TO CLAIM THE EXEMPTION.