

REFERENCE TITLE: immunizations; exemption; requirements

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

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)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Heading change

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

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

8 36-675. Required immunizations; exemption; criteria

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

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

20 (a) A PLACEBO.

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

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

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

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