



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, First Regular Session*

**VETOED**

FACT SHEET FOR H.B. 2474

school immunizations; exclusions

Purpose

Asserts that immunizations that have been issued a U.S. Food and Drug Administration (FDA) emergency use authorization are not required for school attendance in Arizona.

Background

The Director of the Department of Health Services (DHS) must adopt rules: 1) prescribing required immunizations for school attendance; 2) approving means of immunization and indicating reinforcement of immunizations for diseases; and 3) identifying types of health agencies and health care providers that may sign laboratory evidence of immunity. The rules must include the required doses, recommended optimum ages for administration of the immunizations, persons who are authorized representatives to sign on behalf of a health agency and other necessary actions.

Current statute states that immunizations for the human papillomavirus and COVID-19, or any variant of COVID-19, are not required for school attendance in Arizona. Additionally, for an immunization to be required for school attendance, it must first be prescribed in DHS rules ([A.R.S. § 36-672](#)).

The federal Food, Drug and Cosmetic Act allows the Secretary of the U.S. Department of Health and Human Services (HHS) to declare that an FDA emergency use authorization is appropriate. The FDA may then authorize unapproved medical products or unapproved uses of approved medical products to be used in an emergency to diagnose, treat, or prevent serious or life-threatening diseases or conditions caused by chemical, biological, radiological and nuclear threats when certain criteria are met, including when there are no adequate, approved and available alternatives. The HHS declaration to support emergency use must be based on one of four types of determinations of threats or potential threats by the Secretary of HHS, the Department of Homeland Security or the Department of Defense ([FDA](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. States that immunizations that have been issued an FDA emergency use authorization are not required for school attendance in Arizona.
2. Becomes effective on the general effective date.

Governor's Veto Message

The Governor indicates in her [veto message](#) that vaccines are vitally important for the health and wellness of Arizona and that H.B. 2474 would undermine public trust in FDA-approved vaccines.

FACT SHEET – Vetoed

H.B. 2474

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House Action

HHS	1/30/23	DP	5-4-0-0
3 <sup>rd</sup> Read	2/21/23		31-28-1

Senate Action

HHS	3/7/23	DP	4-3-0
3 <sup>rd</sup> Read	4/12/23		17-12-1

Vetoed by the Governor 4/18/23

Prepared by Senate Research

April 19, 2023

MM/JM/slp