HEALTH AND HUMAN SERVICES

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STATE OF MAINE

HOUSE OF REPRESENTATIVES

131ST LEGISLATURE

FIRST SPECIAL SESSION


Amend the bill by striking out the title and substituting the following:

'An Act to Limit the Immunization Requirement for Attendance at a Public or Private Primary, Secondary or Postsecondary School in the State'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 20-A MRSA §6355, sub-§5 is enacted to read:

5. Immunizing agents with emergency use authorizations. Notwithstanding any other provision of this Title to the contrary, a superintendent may not require or provide as a condition of attendance:

A. That a student receive an immunizing agent that is approved by the federal Food and Drug Administration solely under emergency use authorization; or

B. That a student be immunized against a disease when the only available immunizing agent is one that is approved by the federal Food and Drug Administration solely under emergency use authorization.

Sec. 2. 20-A MRSA §10016 is enacted to read:

§10016. Immunizing agents with emergency use authorizations

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Disease" has the same meaning as in section 6353, subsection 3.

B. "Immunizing agent" has the same meaning as in section 6353, subsection 4.

2. Immunizing agents with emergency use authorizations. Notwithstanding any other provision of this Title to the contrary, a postsecondary institution may not require or provide as a condition of attendance:
A. That a student receive an immunizing agent that is approved by the federal Food
and Drug Administration solely under emergency use authorization; or

B. That a student be immunized against a disease when the only available immunizing
agent is one that is approved by the federal Food and Drug Administration solely under
emergency use authorization.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
number to read consecutively.

SUMMARY

This amendment replaces the bill and changes the title. It prohibits school
superintendents from requiring or providing as a condition of attendance vaccination with
immunizing agents that are approved by the federal Food and Drug Administration only
under emergency use authorization and from requiring immunization against a disease
when the only available immunizing agent is one that is approved by the federal Food and
Drug Administration solely under emergency use authorization. It also prohibits a
postsecondary institution from requiring or providing as a condition of attendance
vaccination with immunizing agents that are approved by the federal Food and Drug
Administration only under emergency use authorization and from requiring immunization
against a disease when the only available immunizing agent is one that is approved by the
federal Food and Drug Administration solely under emergency use authorization.

FISCAL NOTE REQUIRED

(See attached)