

REFERENCE TITLE: immunizations; requirements; exemption

State of Arizona  
House of Representatives  
Fifty-fourth Legislature  
Second Regular Session  
2020

## **HB 2486**

Introduced by  
Representatives Carroll: Blackman, Bolick, Fillmore, Lawrence, Payne,  
Rivero, Thorpe, Toma

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 THAT HAS BEEN APPROVED BY THE UNITED STATES FOOD AND DRUG  
14 ADMINISTRATION AVAILABLE TO FULFILL THE REQUIREMENT AND THAT MEETS ALL OF  
15 THE FOLLOWING CRITERIA:

16 1. THE VACCINE HAS BEEN EVALUATED FOR ITS LONG-TERM POTENTIAL TO  
17 CAUSE CANCER, IMPAIR FERTILITY AND MUTATE GENES.

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

22 (a) A PLACEBO.

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

26 3. THE DEPARTMENT POSTS ON ITS WEBSITE ANY KNOWN INJURIES OR  
27 DISEASES CAUSED BY THE VACCINE AND THE RATE AT WHICH THE INJURY OR DISEASE  
28 OCCURS FROM THE VACCINE.

29 4. THE STUDIES HAVE BEEN CONDUCTED THAT ARE NECESSARY TO DETERMINE  
30 ANY INJURY OR DISEASE THAT THE VACCINE MAY CAUSE WHEN ADMINISTERED ALONE  
31 OR WITH ANOTHER STATE-MANDATED VACCINE.

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

35 6. THE VACCINE'S MANUFACTURER HAS LIABILITY FOR DESIGN DEFECT  
36 CLAIMS FOR ANY INJURY CAUSED BY THE VACCINE.

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