

House Bill 1394

By: Representatives Byrd of the 20th, Gilligan of the 24th, Carpenter of the 4th, Gambill of the 15th, Scoggins of the 14th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Chapter 12 of Title 31 of the Official Code of Georgia Annotated, relating to
2 control of hazardous conditions, preventable diseases, and metabolic disorders, so as to
3 repeal the authority of the Department of Public Health and all county boards of health to
4 require persons to submit to vaccinations against or other measures to prevent contagious or
5 infectious diseases; to repeal authorities and related provisions; to prohibit state or local
6 government entities from requiring individuals to submit to vaccinations or to prove
7 postinfection recovery as a condition for certain actions; to prohibit state or local government
8 entities from issuing immunization passports or the like or proof of postinfection recovery
9 for the purpose of certifying the health status of an individual; to prohibit state or local
10 government entities from requiring face masks or other facial coverings to minimize the
11 spread of contagious or infectious diseases; to prohibit certain entities or individuals doing
12 business in this state from requiring patrons or customers to provide any documentation
13 certifying vaccination or postinfection recovery or to wear a mask or other facial covering
14 in order to gain entry to a business or to receive goods or services; to provide for related
15 matters; to repeal conflicting laws; and for other purposes.

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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SECTION 1.

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18 Chapter 12 of Title 31 of the Official Code of Georgia Annotated, relating to control of
19 hazardous conditions, preventable diseases, and metabolic disorders, is amended by revising
20 Code Section 31-12-3, relating to power to require immunization and other preventive
21 measures, as follows:

22 "31-12-3.

23 ~~(a) The department and all county boards of health are empowered to require, by~~
24 ~~appropriate rules and regulations, persons located within their respective jurisdictions to~~
25 ~~submit to vaccination against contagious or infectious disease where the particular disease~~
26 ~~may occur, whether or not the disease may be an active threat. The department may, in~~
27 ~~addition, require such other measures to prevent the conveyance of infectious matter from~~
28 ~~infected persons to other persons as may be necessary and appropriate. The department~~
29 ~~shall promulgate appropriate rules and regulations for the implementation of the provisions~~
30 ~~of this Code section in the case of a declaration of a public health emergency and shall~~
31 ~~include provisions permitting consideration of the opinion of a person's personal physician~~
32 ~~as to whether the vaccination is medically appropriate or advisable for such person. Such~~
33 ~~rules and regulations shall be adopted pursuant to Chapter 13 of Title 50, the 'Georgia~~
34 ~~Administrative Procedure Act,' but shall be automatically referred by the Office of~~
35 ~~Legislative Counsel to the House of Representatives and Senate Committees on Judiciary.~~

36 ~~(b) In the absence of an epidemic or immediate threat thereof, this Code section shall not~~
37 ~~apply to any person who objects in writing thereto on grounds that such immunization~~
38 ~~conflicts with his religious beliefs.~~

39 (a) No law, rule, or order by any state or local government entity or any agent or official
40 thereof shall require the receipt of a vaccine or proof of postinfection recovery for any
41 reason, including, but not limited to, as a condition of: access to any government service,
42 building, or space; employment; professional licensure; access to or enrollment and
43 attendance at any public or private pre-kindergarten, kindergarten, elementary, secondary,

44 or postsecondary educational institution; educational diploma, certification, licensure, or
45 degree; access to any mode of transportation; access or admittance to any child care
46 facility, healthcare facility, long-term care facility, or nursing home; or admittance to any
47 place of business or entertainment.

48 (b) No state or local government entity or any agent or official thereof shall issue vaccine
49 or immunization passports, vaccine or immunization passes, proof of postinfection
50 recovery, or any other standardized documentation for the purpose of certifying the health
51 status of an individual or otherwise require the publication or sharing of immunization
52 records or similar health information for an individual, except as otherwise required by law.

53 (c) No law, rule, or order by any state or local government entity or any agent or official
54 thereof shall require a person in this state to wear a face mask or other facial covering to
55 minimize the spread of a contagious or infectious disease.

56 (d) No entity or individual doing business in this state shall require patrons or customers
57 to provide proof of postinfection recovery or any documentation certifying vaccination or
58 to wear a mask or other facial covering to minimize the spread of a contagious or infectious
59 disease in order to gain entry to a business or to receive any goods or services."

60 **SECTION 2.**

61 All laws and parts of laws in conflict with this Act are repealed.