

House Bill 413

By: Representatives Camp of the 131<sup>st</sup>, Thomas of the 21<sup>st</sup>, Mathiak of the 73<sup>rd</sup>, Scoggins of the 14<sup>th</sup>, Gambill of the 15<sup>th</sup>, 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 prohibit state or local governments from requiring individuals to submit to vaccinations as  
4 a condition to certain actions if the vaccine does not meet certain conditions; to provide for  
5 related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

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

12 "31-12-3.

13 (a) The department and all county boards of health are empowered to require, by  
14 appropriate rules and regulations, persons located within their respective jurisdictions to  
15 submit to vaccination against contagious or infectious disease where the particular disease  
16 may occur, whether or not the disease may be an active threat. The department may, in

17 addition, require such other measures to prevent the conveyance of infectious matter from  
18 infected persons to other persons as may be necessary and appropriate. The department  
19 shall promulgate appropriate rules and regulations for the implementation of the provisions  
20 of this Code section in the case of a declaration of a public health emergency and shall  
21 include provisions permitting consideration of the opinion of a person's personal physician  
22 as to whether the vaccination is medically appropriate or advisable for such person. Such  
23 rules and regulations shall be adopted pursuant to Chapter 13 of Title 50, the 'Georgia  
24 Administrative Procedure Act,' but shall be automatically referred by the Office of  
25 Legislative Counsel to the House of Representatives and Senate Committees on Judiciary.

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

29 (c)(1) No law, rule, or order, by any state or local government shall require the receipt  
30 of vaccines used to prevent SARS-CoV-2 or COVID-19, for any reason, including, but  
31 not limited to, as a condition of employment, school attendance, professional licensure,  
32 educational certification or degree, admittance to any place of business or entertainment,  
33 or access to any mode of transportation, if the following requirements have not been met:

34 (A) The vaccine has been licensed for use, not including emergency use authorization,  
35 by the United States Food and Drug Administration;

36 (B) The vaccine product has been evaluated for its long-term potential to cause cancer,  
37 impair fertility, mutate genes, or cause autoimmune, neurological, or any other chronic  
38 or serious adverse effects;

39 (C) The pivotal clinical trial relied upon by the United States Food and Drug  
40 Administration for approval of the vaccine product has been evaluated for its safety:

41 (i) For no less than three years after such vaccine product is administered; and

42 (ii) Against a control group that received:

43 (I) A true placebo; or

44 (II) Another vaccine product approved by the United States Food and Drug  
45 Administration based on a pivotal clinical trial that has evaluated the safety of that  
46 vaccine product against a control group that received a true placebo;

47 (D) Studies have been conducted to determine what injuries and health conditions may  
48 be caused by the vaccine product when administered alone, as well as with, other  
49 vaccines;

50 (E) The risk of permanent disability and death from the vaccine product has been  
51 proven to be less than that caused by the disease it is intended to prevent;

52 (F) The infection targeted by the vaccine product is highly transmissible in public  
53 settings and:

54 (i) There are no reasonable nonpharmaceutical interventions capable of reducing risk  
55 of the spread;

56 (ii) There are no effective nutrient or drug treatments available to reduce the risk of  
57 the infection; and

58 (iii) There are no effective nutrient or drug treatments available to reduce risk of  
59 severe disease;

60 (G) The infection targeted by the vaccine poses a grave health risk to the population  
61 being required to receive it; and

62 (H) The vaccine product has been proven to prevent person-to-person transmission of  
63 the targeted infection.

64 (2) Notwithstanding the provisions of paragraph (1) of this subsection, no person who  
65 objects in writing thereto on grounds that the receipt of vaccines used to prevent  
66 SARS-CoV-2 or COVID-19 conflicts with his or her philosophical beliefs shall be  
67 required to receive any such vaccine pursuant to this subsection."

68 **SECTION 2.**

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