

1 **SENATE FLOOR VERSION**

2 April 5, 2021

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 2335

6 By: Steagall, Davis, Stark,
7 Conley, West (Kevin),
8 Kendrix, Hardin (David),
9 Grego, McDugle, Dills,
10 Stearman, Miller, Russ and
11 Roberts (Sean) of the House

12 and

13 Jett, Hamilton, Bullard,
14 Murdock, Bergstrom, Dahm,
15 Stephens and Newhouse of
16 the Senate

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19 An Act relating to prevention and control of disease;
20 prohibiting certain vaccination mandates; prohibiting
21 certain discrimination and penalties; creating
22 exceptions; defining term; establishing immunity from
23 liability for certain entities from certain actions;
24 providing for codification; and declaring an
emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1-502.5 of Title 63, unless
there is created a duplication in numbering, reads as follows:

A. A state agency shall not enact by rule, order or other means
any vaccination requirement for any member of the general public or

1 discriminate against or civilly, criminally or administratively
2 penalize any member of the general public who declines to be
3 vaccinated or who declines to vaccinate his or her children, except
4 as provided by:

5 1. Section 411 of Title 10 of the Oklahoma Statutes;

6 2. Rules promulgated by the State Commissioner of Health
7 governing hospital standards as authorized by Sections 1-705 and 1-
8 707 of Title 63 of the Oklahoma Statutes;

9 3. Sections 1210.191 through 1210.195 and Sections 3243 and
10 3244 of Title 70 of the Oklahoma Statutes; or

11 4. Subsection B of this section.

12 B. For purposes of this section, "state agency" means any
13 office, department, board, commission or institution of the
14 executive branch of state government. State agency does not
15 include:

16 1. Any county, municipality or public trust;

17 2. Any hospital or health care facility owned by the state or
18 by a county, municipality or public trust including, but not limited
19 to, the University Hospitals Authority, the University Hospitals
20 Trust, the Oklahoma State University Medical Authority, the Oklahoma
21 State University Medical Trust or any entity under agreement or
22 contract to manage or operate any inpatient or outpatient hospital
23 or clinical facility, office or research building or other facility
24 or property of the University Hospitals Authority, the University

1 Hospitals Trust, the Oklahoma State University Medical Authority or
2 the Oklahoma State University Medical Trust;

3 3. The Oklahoma Military Department; or

4 4. The Oklahoma Department of Veterans Affairs or veterans
5 centers operated by the Oklahoma Department of Veterans Affairs.

6 C. A state agency, an entity excluded under subsection B of
7 this section or any person currently or formerly employed by or
8 working on behalf of such agency or entity shall not be liable for
9 any damages incurred by a person diagnosed with a communicable
10 disease when the person chose not to be vaccinated or for
11 vaccination side effects when the person received a vaccination.

12 SECTION 2. It being immediately necessary for the preservation
13 of the public peace, health or safety, an emergency is hereby
14 declared to exist, by reason whereof this act shall take effect and
15 be in full force from and after its passage and approval.

16 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
17 April 5, 2021 - DO PASS AS AMENDED
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