

HOUSE BILL NO. HB1010

Grace Smith Medical Freedom Act.

Sponsored by: Representative(s) Andrew and Senator(s)
Biteman

A BILL

for

1 AN ACT requiring county and state health officers to grant
2 waivers to immunization requirements for K-12 students upon
3 request; requiring county and state health officers to
4 grant mask mandate waivers for K-12 students upon request;
5 and providing for an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 21-4-309(a) and by creating a new
10 subsection (e) is amended to read:

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12 **21-4-309. Mandatory immunizations for children**
13 **attending schools and waivers; mask mandate waivers.**

14

1 (a) Any person attending, full or part time, any
2 public or private school, kindergarten through twelfth
3 grade, shall within thirty (30) days after the date of
4 school entry, provide to the appropriate school official
5 written documentary proof of immunization. For purposes of
6 this section, documentary proof of immunization is written
7 certification by a private licensed physician or his
8 representative or by any public health authority, that the
9 person is fully immunized. Documentation shall include
10 month, day and year of each required immunization received
11 against vaccine preventable disease as designated by the
12 state health authority. No school administrator shall
13 permit a student to attend school for more than thirty (30)
14 calendar days without documentary proof of immunization.
15 If immunization requires a series of immunizations over a
16 period of more than thirty (30) calendar days, the child
17 shall be permitted to attend school while receiving
18 continuing immunization if the school administrator
19 receives written notification by a private licensed
20 physician or his representative or by a public health
21 official, specifying a written schedule for necessary
22 immunization completion within the medically accepted time
23 period. Waivers to the administration of required

1 immunizations for preventable diseases shall be authorized
2 granted by the state or county health officer upon
3 submission of a written ~~evidence of religious objection or~~
4 ~~medical contraindication to the administration of any~~
5 ~~vaccine~~ request by the child's parent, legal guardian or
6 other adult person authorized to consent to medical
7 treatment of the child seeking the waiver. The state or
8 county health officer shall grant the requested
9 immunization waiver within seven (7) business days of
10 receipt. In the presence of an outbreak of vaccine
11 preventable disease as determined by the state or county
12 health authority, school children for whom a waiver has
13 been issued and who are not immunized against the occurring
14 vaccine preventable disease shall be excluded from school
15 attendance for a period of time determined by the state or
16 county health authority, but not suspended from school as
17 provided in W.S. 21-4-305. Children excluded from school
18 attendance under this section shall not be counted in the
19 aggregate number of pupils absent as defined in W.S.
20 21-13-101(a)(i).

21

22 (e) The state or county health officer shall grant
23 waivers to any mask mandate imposed on any person

1 attending, full or part time, any public school,
2 kindergarten through twelfth grade upon submission of a
3 written request of the child's parent, legal guardian or
4 other adult person authorized to consent to medical
5 treatment of the child seeking the waiver. The state or
6 county health officer shall grant the requested waiver
7 within seven (7) business days of receipt.

8
9 **Section 2.** This act is effective immediately upon
10 completion of all acts necessary for a bill to become law
11 as provided by Article 4, Section 8 of the Wyoming
12 Constitution.

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14

(END)