WEST virginia Legislature

2023 regular session

Introduced

House Bill 2823

By Delegates Kirby, Vance, Steele, Thorne, Foggin, Bridges, Crouse, C. Pritt, McGeehan, Brooks, and Hanna

[Introduced January 19, 2023; Referred to the Committee on Health and Human Resources then Education]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §16-3-4d, relating to allowing for religious exemptions of vaccine requirements in primary and secondary schools.

Be it enacted by the Legislature of West Virginia:

ARTICLE 3. PREVENTION AND CONTROL OF COMMUNICABLE AND OTHER INFECTIOUS DISEASES.

§16-3-4d. Allowing for religious exemptions of vaccine requirements in primary and secondary schools.

(a) If a parent or guardian of a student provides a notarized statement claiming that the parents have sincerely held religious or ideological beliefs which prohibit them from vaccinating their child, then that child shall be exempt from either that particular vaccine or the required vaccines in general dependent upon the breadth of their religious or ideological belief. This section shall apply to all West Virginia public or charter primary or secondary schools.

(b) There is hereby established an exemption of the same nature for any required "medical treatment" required for attendance in a West Virginia public or charter primary or secondary school.

(c) These exemptions do not apply to measles, polio and tuberculosis vaccines; however, parents of children shall retain the ability to request an exemption in these cases if there exists a serious risk of serious medical harm if the vaccines are administered, or if their religious beliefs prohibit having their child vaccinated with these particular vaccines.

NOTE: The purpose of this bill is to allow for religious exemptions of vaccine requirements in primary and secondary schools.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.