

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **House Bill 5143**

By Delegate Kirby

[Introduced January 25, 2024; Referred to the Committee on Health and Human  
Resources then Education]

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

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

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

9 (c) These exemptions do not apply to measles, polio and tuberculosis vaccines; however,  
 10 parents of children shall retain the ability to request an exemption in these cases if there exists a  
 11 serious risk of serious medical harm if the vaccines are administered, or if their religious beliefs  
 12 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.