STATE OF RHODE ISLAND
IN GENERAL ASSEMBLY
JANUARY SESSION, A.D. 2022

A N A C T
RELATING TO HEALTH AND SAFETY - IMMUNIZATION AGAINST COVID-19

Introduced By: Senators Bell, Mack, Acosta, and Mendes
Date Introduced: March 01, 2022
Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby amended by adding thereto the following chapter:

CHAPTER 97
IMMUNIZATION AGAINST COVID-19

23-97-1. Immunization against COVID-19

(a) Every person of at least sixteen (16) years of age who is eligible for immunization against COVID-19 and who resides in the State of Rhode Island, works in the State of Rhode Island, or pays personal income taxes to the State of Rhode Island pursuant to chapter 30 of title 44 shall be required to be immunized against COVID-19.

(b) Every resident of Rhode Island eligible for immunization against COVID-19 who is under sixteen (16) years of age or under guardianship shall be required to be immunized against COVID-19, with the responsibility for ensuring compliance falling on all parents or guardians with medical consent powers pursuant to § 23-4.6-1.

(c) The director of the department of health shall, through regulation, promulgate standards for immunization against COVID-19. Such standards shall:

(1) Exempt any person who has been eligible for immunization against COVID-19 for fewer than forty (40) days, due to federal or state requirements or availability of doses;

(2) Require all eligible doses within a multiple dose immunization series, with the requirement for each dose taking effect forty (40) days after a person becomes eligible to receive
said dose;

(3) Require any additional immunizations against COVID-19 as may become available and may be determined by the director of the department of health to be in the interest of public health; and

(4) Provide for the exemption of any person who has demonstrated good faith to achieve full immunization by having received one or more doses of a multiple dose immunization series and having scheduled and not missed an appointment to receive the next dose in the multiple dose immunization series.

(d) Any person in violation of this chapter may present a signed petition of exemption to the department of health ("department"). All petitions of exemption for exemption from subsection (b) of this section must also be signed by the unimmunized minor if the unimmunized minor is at least ten (10) years of age. The petition of exemption must be for medical reasons and must be signed by three (3) licensed physicians stating that the person is not a fit subject for immunization against COVID-19 for medical reasons. All signatures on all petitions of exemption must be notarized. Upon receipt of a petition of exemption, all penalties for noncompliance with this chapter shall be suspended. The department shall have the power to investigate the petition of exemption, and if the department finds that sufficient grounds of medical reasons for exemption from COVID-19 immunization have not been met, the department shall reject the petition of exemption, subject to appeal in superior court. Within seven (7) days following the rejection of a petition of exemption, the suspension of penalties shall expire.

(e) Any person who violates this chapter shall be required to pay a monthly civil penalty of fifty dollars ($50.00) and shall owe twice the amount of personal income taxes as would otherwise be assessed pursuant to chapter 30 of title 44. All employers must require proof of compliance with this chapter for any employee employed in in-person work within the State of Rhode Island. Employers may choose to waive proof of compliance with this chapter for purely remote work. Any employer found to be knowingly in violation of this section for more than seven (7) days shall be required to pay a monthly civil penalty of five thousand dollars ($5,000) for every violation.

(f) The directors of the department of health and the department of revenue shall have the power to promulgate regulations to ensure compliance with this chapter.

SECTION 2. This act shall take effect thirty (30) days after passage; provided, however, that the department of health shall begin receiving petitions of exemption immediately upon passage.
and may begin the process of promulgation of regulations and standards upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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RELATING TO HEALTH AND SAFETY - IMMUNIZATION AGAINST COVID-19

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This act would mandate all residents sixteen (16) years or older to be vaccinated against COVID-19. If a resident is under sixteen (16) years of age the resident would be required to be immunized against COVID-19, with the responsibility for ensuring compliance falling on all parents or guardians with medical consent powers. Additionally any person who violates this chapter would be required to pay a monthly civil penalty of fifty dollars ($50.00) and would owe twice the amount of personal income taxes.

This act would take effect thirty (30) days after passage; provided, however, that the department of health would begin receiving petitions of exemption immediately upon passage and may begin the process of promulgation of regulations and standards upon passage.