

2022 -- S 2552

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LC004120
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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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:

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

3 CHAPTER 97

4 IMMUNIZATION AGAINST COVID-19

5 **23-97-1. Immunization against COVID-19**

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

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

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

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

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

1 said dose:

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

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

9 (d) Any person in violation of this chapter may present a signed petition of exemption to
10 the department of health ("department"). All petitions of exemption for exemption from subsection
11 (b) of this section must also be signed by the unimmunized minor if the unimmunized minor is at
12 least ten (10) years of age. The petition of exemption must be for medical reasons and must be
13 signed by three (3) licensed physicians stating that the person is not a fit subject for immunization
14 against COVID-19 for medical reasons. All signatures on all petitions of exemption must be
15 notarized. Upon receipt of a petition of exemption, all penalties for noncompliance with this chapter
16 shall be suspended. The department shall have the power to investigate the petition of exemption,
17 and if the department finds that sufficient grounds of medical reasons for exemption from COVID-
18 19 immunization have not been met, the department shall reject the petition of exemption, subject
19 to appeal in superior court. Within seven (7) days following the rejection of a petition of exemption,
20 the suspension of penalties shall expire.

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

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

31 SECTION 2. This act shall take effect thirty (30) days after passage; provided, however,
32 that the department of health shall begin receiving petitions of exemption immediately upon
33 passage

1 and may begin the process of promulgation of regulations and standards upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HEALTH AND SAFETY- IMMUNIZATION AGAINST COVID-19

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

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

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