

As Introduced

**134th General Assembly
Regular Session
2021-2022**

S. B. No. 169

Senator Brenner

Cosponsors: Senators Cirino, Lang, Schaffer

A BILL

To enact sections 3792.02 and 3792.03 of the
Revised Code to prohibit mandatory vaccinations
against the coronavirus, to prohibit requiring
proof of vaccinations generally, and to declare
an emergency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3792.02 and 3792.03 of the
Revised Code be enacted to read as follows:

Sec. 3792.02. (A) As used in this section and section
3792.03 of the Revised Code:

(1) "Incapacitated" means the inability to make or
communicate decisions affecting one's health, safety, or self-
care.

(2) "Minor" means an individual who is less than eighteen
years of age.

(3) "Political subdivision" means a county, township,
municipal corporation, school district, or other body corporate
and politic responsible for governmental activities in a

geographic area smaller than that of the state. "Political 18
subdivision" also includes a board of health of a city or 19
general health district. 20

(4) "Public official" means any officer, employee, or duly 21
authorized representative or agent of a public office. 22

(5) "State agency" means every organized body, office, 23
agency, institution, or other entity established by the laws of 24
the state for the exercise of any function of state government. 25
"State agency" also includes every institution or organization 26
that receives any support from the state. 27

(B) A person, political subdivision, public official, or 28
state agency shall not mandate either directly or indirectly the 29
administration of a vaccine used for the purpose of inducing in 30
humans immunity against a coronavirus. 31

(C) (1) Except as provided in division (C) (2) of this 32
section, an adult individual shall not be required for any 33
reason to be vaccinated against a coronavirus unless the 34
individual chooses to be vaccinated against that coronavirus. 35

(2) An adult individual who is incapacitated shall not be 36
required for any reason to be vaccinated against a coronavirus 37
unless the legal guardian of the incapacitated adult chooses to 38
have the incapacitated adult vaccinated against that 39
coronavirus. 40

(3) A minor individual shall not be required for any 41
reason to be vaccinated against a coronavirus unless the minor's 42
parent or legal guardian chooses to have the minor vaccinated 43
against that coronavirus. 44

Sec. 3792.03. (A) Except as provided in sections 1713.55, 45
3313.671, 3332.25, 3345.85, and Chapter 5104. of the Revised 46

Code, a person, political subdivision, public official, or state agency shall not require an individual to show proof of vaccination or provide the individual's vaccination history or status. 47
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(B) (1) Information regarding an individual's vaccination history or status is confidential. 51
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(2) Except as required by federal law, a person, political subdivision, public official, or state agency that acquires information regarding an individual's vaccination history or status shall not disclose or release the information to another person, political subdivision, or state agency without the individual's written consent. 53
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Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is that vaccines have been developed against SARS-CoV-2, a coronavirus, and are now being administered to Ohio residents. Therefore, this act shall go into immediate effect. 59
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