#### As Introduced

## 134th General Assembly

# Regular Session 2021-2022

S. B. No. 169

#### **Senator Brenner**

## Cosponsors: Senators Cirino, Lang, Schaffer

## A BILL

То	enact sections 3792.02 and 3792.03 of the	1
	Revised Code to prohibit mandatory vaccinations	2
	against the coronavirus, to prohibit requiring	3
	proof of vaccinations generally, and to declare	4
	an emergency.	5

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

Section 1. That sections 3792.02 and 3792.03 of the	6
Revised Code be enacted to read as follows:	7
Sec. 3792.02. (A) As used in this section and section	8
3792.03 of the Revised Code:	9
(1) "Incapacitated" means the inability to make or	10
communicate decisions affecting one's health, safety, or self-	11
care.	12
(2) "Minor" means an individual who is less than eighteen	13
years of age.	14
(3) "Political subdivision" means a county, township,	15
municipal corporation, school district, or other body corporate	16
and politic responsible for governmental activities in a	17

geographic area smaller than that of the state. "Political		
subdivision" also includes a board of health of a city or		
general health district.		
(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.		
(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.		
(3) A minor individual shall not be required for any	41	
reason to be vaccinated against a coronavirus unless the minor's		
parent or legal guardian chooses to have the minor vaccinated		
against that coronavirus.		
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	

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Code, a person, political subdivision, public official, or state	47	
agency shall not require an individual to show proof of		
vaccination or provide the individual's vaccination history or		
status.		
(B) (1) Information regarding an individual's vaccination	51	
history or status is confidential.		
(2) Except as required by federal law, a person, political	53	
subdivision, public official, or state agency that acquires	54	
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.		
Section 2. This act is hereby declared to be an emergency	59	
measure necessary for the immediate preservation of the public	60	
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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.		