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 subdivision" also includes a board of health of a city or general health district.

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

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

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

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

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

(3) A minor individual shall not be required for any 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, 3313.671, 3332.25, 3345.85, and Chapter 5104. of the Revised
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.

(B)(1) Information regarding an individual's vaccination history or status is confidential.

(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.

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.