

HB 1633-FN - AS INTRODUCED

2022 SESSION

22-2049

05/10

HOUSE BILL

1633-FN

AN ACT relative to requiring COVID-19 vaccination for school attendance.

SPONSORS: Rep. Marsh, Carr. 8; Rep. Knirk, Carr. 3; Rep. Woods, Merr. 23; Rep. Murphy, Graf. 12; Rep. Schapiro, Ches. 16; Rep. Paige, Rock. 18; Rep. Rung, Hills. 21; Rep. Allard, Merr. 21; Sen. Rosenwald, Dist 13; Sen. Sherman, Dist 24; Sen. Kahn, Dist 10

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill requires covid-19 vaccination for school attendance, expands the definition of school to include postsecondary institutions, and limits the scope of the Covid-19 vaccination requirement to those individuals whose age exceeds the minimum for a vaccine fully approved by the FDA.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to requiring COVID-19 vaccination for school attendance.

Be it Enacted by the Senate and House of Representatives in General Court convened:

- 1 1 Communicable Disease; Definition of School. Amend RSA 141-C:2, XIII-a to read as follows:
2 XIII-a. "School" means any facility which provides primary, ~~[or]~~ secondary, **or**
3 **postsecondary** education.
4 2 Communicable Disease; Immunization; COVID-19. Amend RSA 141-C:20-a, I to read as
5 follows:
6 I. All parents or legal guardians shall have their children who are residing in this state
7 immunized against certain diseases. These diseases shall include, but not be limited to, diphtheria,
8 mumps, pertussis, poliomyelitis, rubella, rubeola, ~~and~~ tetanus, **and COVID-19**. The commissioner
9 shall adopt rules under RSA 541-A relative to other diseases which require immunization.
10 ***I-a. The requirement in paragraph I for COVID-19 vaccination shall only apply to***
11 ***individuals whose age exceeds the minimum for a vaccine fully approved by the United***
12 ***States Food and Drug Administration, and not just available under emergency use***
13 ***authorization.***
14 3 Repeal. RSA 141-C:20-a, I-a, limiting the scope of the COVID-19 vaccination requirement, is
15 repealed.
16 4 Contingency. Section 3 of this act shall take effect on the date the commissioner of the
17 department of health and human services certifies to the director of the office of legislative services
18 and the secretary of state that at least one COVID-19 vaccine has been approved for use by the
19 United States Food and Drug Administration in individuals without age restriction, and not just
20 authorized under emergency use authorization.
21 5 Effective Date.
22 I. Section 3 of this act shall take effect as provided in section 4 of this act.
23 II. The remainder of this act shall take effect 30 days after its passage.

**HB 1633-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to requiring COVID-19 vaccination for school attendance.

FISCAL IMPACT: ☒ **State** ☐ **County** ☒ **Local** ☐ **None**

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	Indeterminable	Indeterminable	Indeterminable	Indeterminable
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	☐ General ☐ Education ☐ Highway ☒ Other - USNH and CCSNH Tuition Revenue and Operating Expenses			

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill adds the COVID-19 vaccine to the existing list of immunizations required for school and childcare entry that are specified in law and expands the definition of “school” to include postsecondary institutions. It is likely that local school districts and postsecondary institutions (specifically the University System of New Hampshire and the Community College System of New Hampshire) will experience an indeterminable increase in administrative expenses to comply with this bill, and in the case of postsecondary institutions, this bill may have an impact on tuition revenue to the extent this requirement affects enrollment decisions.

The Department of Education and Department of Health and Human Services state this bill will have no impact on their respective budgets.

AGENCIES CONTACTED:

Department of Education, Department of Health and Human Services, University System of New Hampshire, and Community College System of New Hampshire