



HB 76
Extending COVID-19 Disaster Emergency
Summary of Changes

Version 32- GH1011\B (House Health and Social Services Committee)

Title Amendments:

Added “relating to informed consent for COVID-19 vaccines:”

Added “relating to personal objections to the administration of COVID-19 vaccines;”

Section 1: Legislative Findings (Page 1, lines 11-12, Page 2, lines 1-31, Page 3, lines 1-18)

Deleted and replaced legislative findings related to COVID-19. Based on the findings, the Legislature finds that it is in the best interest of the state to take appropriate steps to continue to contain the spread of COVID-19; to distribute COVID-19 vaccines statewide; and to take appropriate steps to limit further harm to the state’s economy, enable displaced workers in the state to return to work, and to allow students to rejoin in-person classes.

Section 3: Public Health Disaster Emergency; Financing Plan (Page 5, lines 14-17)

New subsection (c) added to provide that expenditure of state funds to address the effects of the declaration of a public health disaster emergency is limited to the expenditure authority identified in this finance plan, notwithstanding AS 26.23.050(b).

New Section Added: Page 10, lines 1-6

Section 10: Informed Consent for COVID-19 Vaccines

Provides that a health care provider may not administer a COVID-19 vaccine to an individual without first obtaining the informed consent of the individual, or the parent or guardian of a minor child.

New Section Added: Page 10, lines 7-15

Section 11: Personal Objections to the Administration of COVID-19 Vaccines

Provides that an individual may object to the administration of a COVID-19 vaccine based on religious, medical, or other grounds. A parent or guardian of a minor child may object to the administration of the COVID-19 vaccine to the minor child based on religious, medical, or other grounds. Further provides that a person may not be required to provide justification or documentation to support an individual’s decision to decline to receive the COVID-19 vaccine.

New Section Added: Page 10, lines 16-21

Section 12: Civil Liability

Provides that a person may not be held liability for an action taken on or after February 14, 2021 and before the effective date of this Act, that does or does not comply with an order, proclamation, or

declaration adopted by the Governor to respond to a public health disaster emergency, as extended by Section 2.

The remaining sections were renumbered accordingly to conform with the addition of three new sections.

Version 32- GH1011\W (House Finance Committee)

Title Amendments:

Added “approving and ratifying declarations of a public health disaster emergency;”

Added “and school operating funds;”

Added “providing immunity from liability and disciplinary action for occupational licensees for exposure of clients to COVID-19; providing immunity from liability for persons engaging in business and their employees for exposure of customers to COVID-19;”

Section 2: Public Health Disaster Emergency; Extension of Disaster Emergency (Page 3, lines 26-29)

New subsection (a) added to approve and ratify the declarations of a public health disaster emergency issued by the Governor on November 15, 2020, December 15, 2020, and January 15, 2021.

Removed Previous Section 12: Civil Liability

Provides that a person may not be held liable for an action taken on or after February 14, 2021 and before the effective date of this Act, that does or does not comply with an order, proclamation, or declaration adopted by the Governor to respond to a public health disaster emergency, as extended by Section 2 of the Act.

New Section Added: Page 10, lines 24-31, Page 11, line 1

Section 12: School Operating Funds

Provides that a school district may retain an unreserved portion of its year-end fund balance in its school operating fund and the unreserved portion may not be used to reduce the state aid for that school district in the next fiscal year.

New Section Added: Page 11, lines 2-17

Section 13: Licensee Liability for Client Exposure to COVID-19

Provides that a licensee under Title 8, is immune from disciplinary actions for the sickness, death, economic loss, and other damages suffered by a client due to exposure to COVID-19, if the exposure occurred during the course of the licensee’s practice.

New Section Added: Page 11, lines 18-31, Page 12, line 1

Section 14: Business and Employee Liability for Customer Exposure to COVID-19

Provides that a business owner and an employee, while working in the business, are immune from liability for sickness, death, economic loss, and other damages suffered by a customer from exposure to COVID-19 while the individual is patronizing the business.

The remaining sections were renumbered accordingly to conform with the addition of three new sections.

Version 32 – GH1011\W.A (House Finance Committee Amended House Floor)

New Section Added: Page 12, lines 2-8

Section 15: Use of CARES, CRSSA, or American Rescue Plan Act

Provides that no funds received by the State under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), the Coronavirus Response and Relief Supplemental Appropriations Act (CRSSA), or the American Rescue Act may be expended for an abortion that is not mandatory under AS 47.07.030(a).

The remaining sections were renumbered accordingly to conform with the addition of three new sections.