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Sectional

CS SB 156 Immunization Rights and Objections to Administration of a COVID-19 Vaccine

Section 1: Added a new section to clarify legislative intent specific to COVID-19 injections “It is the intent of the legislature that every person should have the right to choose their own medical interventions because art. 1, sec 22, of the Constitution of the State of Alaska protects a person’s right to privacy.”

Section 2: AS 18.09 is amended adding a new section Article 2A. COVID 19 Immunization Rights; Discrimination.

Sec 18.09.250 Exercise of rights and access to benefits. A state agency or political subdivision may not adopt or issue a regulation, ordinance, order, or similar policy that requires an individual to be vaccinated against COVID-19 in order to exercise their right to receive a benefit that is available to the public.

Sec 18.09.260 Personal vaccine history. A state agency, an employee of the state, or agent of the state may not require an individual to produce documentation of the individual’s COVID-19 vaccination status or a COVID-19 immunity passport in order to travel to, or within, the state.

Sec. 18.09.270 Discrimination based on vaccination status. It is unlawful discrimination for: a person or a governmental entity to refuse, withhold from or deny an individual any local or state services, goods, facilities, advantages, privileges, licensing, educational opportunities, health care access, or employment opportunities based on the individual’s COVID-19 vaccination status or whether the individual has a COVID-19 immunity passport; bar an individual from employment, or discriminate against individual compensation or term, condition or privilege of employment; a public accommodation to exclude, limit, segregate, refuse to serve or otherwise discriminate based on COVID-19 vaccination status or immunity passport; a recommendation by a person, governmental agency, or employer to receive a COVID-19 vaccine is not unlawful discrimination under this section.

Sec. 18.09.280 Objection to the administration of a COVID-19 vaccine. An individual may object to the administration of a COVID-19 vaccine to that individual based on religious, medical, or other grounds. A parent or guardian of a minor child may object to the administration of a COVID-19 vaccine to the minor child based on religious, medical, or other grounds. A person may not require an individual to provide justification or documentation to support the individual’s decision to decline a COVID-19 vaccine or decline a COVID-19 vaccine for a minor child.

Sec. 18.09.290. Definition. In AS 18.09.250-18.09.90, “COVID-19” means the novel coronavirus disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)

Section 3: AS 21.54.100 (a) 9 adds language to the health care insurer that offers, issues for delivery, delivers, or renews a healthcare insurance plan in the group market may not establish rules for eligibility, including continued eligibility and waiting periods under the plan, for an individual or dependent of an individual based on (9) the individual’s COVID-19 vaccination status; in this paragraph, “COVID-19 has the meaning given in AS 18.09.290. This safeguards everyone regardless of COVID-19 injection history.

Section 4: This act takes effect immediately under AS 01.10.070 (c)