

CS FOR SENATE BILL NO. 156(HSS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE HEALTH AND SOCIAL SERVICES COMMITTEE

Offered: 3/9/22

Referred: Rules

Sponsor(s): SENATORS REINBOLD, Costello, Hughes

REPRESENTATIVES Eastman, Tuck, Rauscher, Tilton, Kurka

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to COVID-19 immunization rights; relating to objection to the
2 administration of a COVID-19 vaccine; relating to COVID-19 vaccination status and
3 eligibility for health care insurance; and providing for an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 LEGISLATIVE INTENT. It is the intent of the legislature that every person should
8 have the right to choose their own medical interventions because art. I, sec. 22, of the
9 Constitution of the State of Alaska protects a person's right to privacy.

10 * **Sec. 2.** AS 18.09 is amended by adding new sections to read:

11 **Article 2A. COVID-19 Immunization Rights; Discrimination.**

12 **Sec. 18.09.250. Exercise of rights and access to benefits.** A state agency or
13 political subdivision of the state may not adopt or issue a regulation, ordinance, order,
14 or similar policy that requires an individual to be vaccinated against COVID-19 in

1 order for the individual to exercise a right or receive a benefit that is available to the
2 public.

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

7 **Sec. 18.09.270. Discrimination based on vaccination status.** (a) Except as
8 provided in (b) of this section, it is unlawful discrimination for

9 (1) a person or a governmental entity to refuse, withhold from, or deny
10 to an individual any local or state services, goods, facilities, advantages, privileges,
11 licensing, educational opportunities, health care access, or employment opportunities
12 based on the individual's COVID-19 vaccination status or whether the individual has a
13 COVID-19 immunity passport;

14 (2) an employer to refuse employment to an individual, to bar an
15 individual from employment, or to discriminate against an individual in compensation
16 or in a term, condition, or privilege of employment based on the individual's
17 COVID-19 vaccination status or whether the individual has a COVID-19 immunity
18 passport; or

19 (3) a public accommodation to exclude, limit, segregate, refuse to
20 serve, or otherwise discriminate against an individual based on the individual's
21 COVID-19 vaccination status or whether the individual has a COVID-19 immunity
22 passport.

23 (b) A recommendation by a person, governmental entity, or employer that an
24 employee receive a COVID-19 vaccine is not unlawful discrimination under this
25 section.

26 **Sec. 18.09.280. Objection to the administration of a COVID-19 vaccine.**
27 An individual may object to the administration of a COVID-19 vaccine to that
28 individual based on religious, medical, or other grounds. A parent or guardian of a
29 minor child may object to the administration of a COVID-19 vaccine to the minor
30 child based on religious, medical, or other grounds. A person may not require an
31 individual to provide justification or documentation to support the individual's

1 decision to decline a COVID-19 vaccine or to decline a COVID-19 vaccine for a
2 minor child.

3 **Sec. 18.09.290. Definition.** In AS 18.09.250 - 18.09.290, "COVID-19" means
4 the novel coronavirus disease caused by the severe acute respiratory syndrome
5 coronavirus 2 (SARS-CoV-2).

6 * **Sec. 3.** AS 21.54.100(a) is amended to read:

7 (a) A health care insurer that offers, issues for delivery, delivers, or renews a
8 health care insurance plan in the group market may not establish rules for eligibility,
9 including continued eligibility and waiting periods under the plan, for an individual or
10 dependent of an individual based on

- 11 (1) health status;
- 12 (2) medical condition, including physical and mental illnesses;
- 13 (3) claims experience;
- 14 (4) receipt of health care;
- 15 (5) medical history;
- 16 (6) genetic information;
- 17 (7) evidence of insurability, including conditions arising from acts of
18 domestic violence; [OR]

19 (8) disability; or
20 (9) the individual's COVID-19 vaccination status; in this
21 paragraph, "COVID-19" has the meaning given in AS 18.09.290.

22 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).