

HOUSE BILL NO. 186

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES RAUSCHER, Gillham, Johnson

Introduced: 4/21/21

Referred: Community and Regional Affairs, State Affairs

A BILL

FOR AN ACT ENTITLED

1 "An Act prohibiting the state or a municipality, public library, postsecondary
2 educational institution, school district, health care provider, or health care facility from
3 requiring proof of vaccination against COVID-19."

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

5 * **Section 1.** AS 14.07.020(c) is amended to read:

6 (c) In this section,

7 (1) "COVID-19" means the novel coronavirus disease caused by
8 the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2);

9 (2) "pre-elementary school" means a school for children ages three
10 through five years if the school's primary function is educational.

11 * **Sec. 2.** AS 14.07.020 is amended by adding a new subsection to read:

12 (d) A regulation adopted under (a)(7) of this section may not require a child
13 attending a school to provide proof of vaccination against COVID-19.

14 * **Sec. 3.** AS 14.30.125 is amended by adding a new subsection to read:

(b) Notwithstanding (a) of this section, a school district may not require a child in that school district to provide proof of vaccination against COVID-19. In this subsection, "COVID-19" means the novel coronavirus disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

* **Sec. 4.** AS 44.99 is amended by adding new sections to read:

Article 7. Proof of COVID-19 Vaccination.

Sec. 44.99.700. Prohibition on state and public institutions requiring proof of COVID-19 vaccination. (a) An instrumentality of the state, a public library, a postsecondary educational institution, or a school district may not require a person to provide proof of vaccination against COVID-19 to access an area or service that is open to the public or to vote in a state or municipal election.

(b) In this section,

(1) "instrumentality of the state" has the meaning given in AS 39.52.960;

(2) "postsecondary educational institution" has the meaning given in AS 14.48.210;

(3) "school district" means a borough school district, a city school district, a regional educational attendance area, a state boarding school, and the state centralized correspondence study program.

Sec. 44.99.710. Prohibition on requiring proof of COVID-19 vaccination for public transportation. The state or a municipality may not require a passenger to provide proof of vaccination against COVID-19 as a condition of transport on public transportation provided by the state or municipality. In this section, "public transportation" includes the Alaska Railroad but does not include the Alaska marine highway system.

Sec. 44.99.720. Prohibition on health care providers or health care facilities requiring proof of COVID-19 vaccination. A health care provider or health care facility may not, as a condition of medical service or treatment, require a person to provide proof of vaccination against COVID-19. In this section,

(1) "health care facility" has the meaning given in AS 18.20.499;

(2) "health care provider" has the meaning given in AS 09.55.560.

1 **Sec. 44.99.730. Definition.** In AS 44.99.700 - 44.99.730, "COVID-19" means
2 the novel coronavirus disease caused by the severe acute respiratory syndrome
3 coronavirus 2 (SARS-CoV-2).