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## **FAMILY ISSUE FACT SHEET**

**No. 2019-08 (February 2019)**



# **SB 1114/HB 2470 SCHOOLS; IMMUNIZATIONS; RELIGIOUS EXEMPTION**

## **EXECUTIVE SUMMARY**

SB 1114 and HB 2470 protect the “fundamental right” of parents to direct the health care of their children (ARS 1-601). Current law (ARS 15-873(A)(1)) allows parents to exempt their children from immunization requirements for K-12 school admission due to “personal beliefs.” These bills add a religious exemption to the existing “personal beliefs” exemption for K-12 students, and add a “personal belief” exemption to the existing religious exemption for children in childcare facilities (ARS 36-883).

## **OVERVIEW**

Under ARS 15-873, a K-12 pupil may be admitted to school without immunization documentation if the parent “submits a signed statement to the school administrator stating that the parent or guardian has received information about immunizations provided by the department of health services and understands the risks and benefits of immunizations and the potential risks of nonimmunization and that due to personal beliefs, the parent or guardian does not consent to the immunization of the pupil.”

However, pupils who lack documentary proof of immunization may not attend school during an outbreak of “communicable immunization-preventable diseases as determined by the department of health services or local health department.” ARS 15-873(C).

SB 1114 and HB 2470 add a religious exemption to the existing K-12 “personal beliefs” exemption. They clarify that parents may use a form provided by the Department of Health Services (DHS) or may provide their own signed statement. And, they clarify that the exemptions apply to students at *any* level or grade, K-12.

Under ARS 36-883, DHS’s rules regarding immunization requirements for children in childcare facilities must include an exemption “on the ground that it conflicts with the tenets and practices of a recognized church or religious denomination of which the parent or child is an adherent or member.”

SB 1114 and HB 2470 add a “personal beliefs” exemption to the existing religious exemption. They simplify the religious exemption, and they prohibit DHS from requiring parents to only use DHS’s form rather than their own signed document.

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## **TALKING POINTS**

1. Under Arizona law, parents have a “fundamental right” to direct the health care of their children (ARS 1-601). SB1114/HB2470 protect this right.
2. The U.S. Constitution and the Arizona Constitution protect the right to peacefully live according to one’s religious beliefs. Also, federal, state, and local laws are replete with religious exemptions. Immunization laws should be no different.
3. Current law already allows for exemptions due to religious or personal beliefs. There is no reason these exemptions should not apply equally to children from preschool through twelfth grade.
4. According to DHS’s “2017 Arizona Immunization Coverage Status,” only around 4% of preschool children and 5% of kindergarten and sixth grade students received exemptions for personal or religious beliefs. That means that 95-96% of children are immunized, which is well within the range for “herd immunity” to work.

## **CONCLUSION**

SB 1114 and HB 2470 protect the “fundamental right” of parents to direct the health care of their children (ARS 1-601). Whether due to religious, moral, philosophical, or scientific beliefs, parents should be allowed to determine when their children should be immunized.