

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. _____

COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend House Bill No. 2335, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Jett

Jett-DC-FS-Req#2083
4/19/2021 2:02 PM

(Floor Amendments Only) Date and Time Filed: _____

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 FLOOR SUBSTITUTE
4 FOR ENGROSSED

5 HOUSE BILL NO. 2335

6 By: Steagall, Davis, Stark,
7 Conley, West (Kevin),
8 Kendrix, Hardin (David),
9 Grego, McDugle, Dills,
10 Stearman, Miller, Russ and
11 Roberts (Sean) of the House

12 and

13 Jett, Hamilton, Bullard,
14 Murdock, Bergstrom, Dahm,
15 Stephens, Newhouse and
16 Weaver of the Senate

17 FLOOR SUBSTITUTE

18 An Act relating to prevention and control of disease;
19 defining term; prohibiting certain vaccination
20 mandates; prohibiting certain discrimination and
21 penalties; specifying applicability of certain
22 provisions; creating exceptions; establishing
23 immunity from liability for certain entities from
24 certain actions; providing for codification; and
declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1-502.5 of Title 63, unless
there is created a duplication in numbering, reads as follows:

1 A. For purposes of this section, "state agency" means any
2 office, department, board, commission or institution of the
3 executive, legislative or judicial branch of state government.

4 B. A state agency shall not enact by rule, order or other means
5 any vaccination requirement for any member of the general public or
6 any employee or prospective employee of the state agency or
7 discriminate against or civilly, criminally or administratively
8 penalize any member of the general public or any employee or
9 prospective employee of the state agency who declines to be
10 vaccinated or who declines to vaccinate his or her children.

11 C. The provisions of subsection B of this section shall apply
12 without exception to a product authorized for emergency use by the
13 Food and Drug Administration.

14 D. With respect to a product approved by the Food and Drug
15 Administration, the provisions of subsection B of this section shall
16 not:

17 1. Supersede or impair the requirements or exceptions to such
18 requirements provided by:

19 a. Section 411 et seq. of Title 10 of the Oklahoma
20 Statutes,

21 b. Section 1210.191 et seq. of Title 70 of the Oklahoma
22 Statutes,

23 c. Sections 3243 and 3244 of Title 70 of the Oklahoma
24 Statutes, or

1 d. rules promulgated by the State Commissioner of Health
2 governing any type of facility licensed by the State
3 Department of Health; or

4 2. Apply to:

5 a. any county, municipality or public trust,

6 b. any hospital, long-term care facility or health care
7 facility or any entity under agreement or contract to
8 manage or operate any hospital, long-term care
9 facility or health care facility,

10 c. the University Hospitals Authority, the University
11 Hospitals Trust, the Oklahoma State University Medical
12 Authority, the Oklahoma State University Medical Trust
13 or any entity under agreement or contract to manage or
14 operate any inpatient or outpatient hospital or
15 clinical facility, office or research building or
16 other facility or property of the University Hospitals
17 Authority, the University Hospitals Trust, the
18 Oklahoma State University Medical Authority or the
19 Oklahoma State University Medical Trust,

20 d. the Military Department of the State of Oklahoma, or

21 e. the Oklahoma Department of Veterans Affairs or
22 Veterans Centers operated by the Oklahoma Department
23 of Veterans Affairs.
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1 E. The following entities, any person currently or formerly
2 employed by or working on behalf of such entity, any person or
3 entity currently or formerly under contract with such entity or the
4 governing body of such entity shall not be liable for any damages
5 incurred by a person diagnosed with a communicable disease when the
6 person chose not to be vaccinated or for vaccination side effects
7 when the person received a vaccination:

8 1. A state agency;

9 2. A child care facility;

10 3. A public charter, private or parochial school, the governing
11 body of a public charter, private or parochial school, a school
12 district or a school district board of education;

13 4. An institution within The Oklahoma State System of Higher
14 Education, a private postsecondary educational institution, the
15 Oklahoma State Regents for Higher Education or the board of regents
16 of an institution within The Oklahoma State System of Higher
17 Education;

18 5. A technology center school or a technology center school
19 board of education; or

20 6. Any entity listed under paragraph 2 of subsection D of this
21 section.

22 SECTION 2. It being immediately necessary for the preservation
23 of the public peace, health or safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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4 58-1-2083 DC 4/19/2021 2:02:24 PM

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