

As Introduced

**134th General Assembly
Regular Session
2021-2022**

H. B. No. 477

Representative Richardson

A BILL

To prevent expulsion from school and termination 1
from employment based on COVID-19 vaccination 2
status. 3

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. (A) As used in this section: 4

(1) "Employer" means any person who has one or more 5
employees. 6

(2) "Private college" has the same meaning as in section 7
3365.01 of the Revised Code. 8

(3) "School" means either or both of the following: 9

(a) A chartered nonpublic school as defined in section 10
3310.01 of the Revised Code; 11

(b) A public school as defined in section 3792.04 of the 12
Revised Code. 13

(4) "State institution of higher education" has the same 14
meaning as in section 3345.011 of the Revised Code. 15

(B) (1) An employer shall not require an employee to 16
receive a vaccine if both of the following are the case: 17

(a) The vaccine utilizes mRNA, DNA, or any other genetic vaccine technology; 18
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(b) The vaccine has not been issued a biologics license or otherwise granted full approval by the United States food and drug administration. 20
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(2) A school, private college, or state institution of higher education shall not require a student to receive a vaccine if both of the following are the case: 23
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(a) The vaccine utilizes mRNA, DNA, or any other genetic vaccine technology; 26
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(b) The vaccine has not been issued a biologics license or otherwise granted full approval by the United States food and drug administration. 28
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(C) (1) If an employer requires an employee to receive a vaccine utilizing mRNA, DNA, or any other genetic vaccine technology that has been issued a biologics license or otherwise granted full approval by the United States food and drug administration, then the employee may decline the vaccination for any reason. 31
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(2) If a school, private college, or state institution of higher education requires a student to receive a vaccine utilizing mRNA, DNA, or any other genetic vaccine technology that has been issued a biologics license or otherwise granted full approval by the United States food and drug administration, then both of the following apply: 37
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(a) In the case of a student who is an adult, the adult may decline the vaccination for any reason. 43
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(b) In the case of a student who is a minor, the minor's 45

parent or guardian may decline the minor's vaccination for any 46
reason. 47

(D) (1) To decline a vaccination as described in division 48
(C) (1) of this section, an employee shall submit to the employer 49
a written statement indicating that vaccination has been 50
declined. An employer shall not require the employee to include 51
in the statement any reason for declining vaccination. 52

(2) Once a written statement has been submitted, the 53
employer shall accept the statement and honor the declination 54
and shall not terminate the employee's employment for declining 55
vaccination. 56

(E) (1) To decline a vaccination as described in division 57
(C) (2) of this section, an adult student or minor student's 58
parent or guardian shall submit to the school, private college, 59
or state institution of higher education a written statement 60
indicating that vaccination has been declined. A school, private 61
college, or state institution of higher education shall not 62
require the adult student or minor student's parent or guardian 63
to include in the statement any reason for declining 64
vaccination. 65

(2) Once a written statement has been submitted, the 66
school, private college, or state institution of higher 67
education shall accept the statement and honor the declination 68
and shall not expel the student for declining vaccination. 69

(F) This section expires on the date that the emergency 70
period due to COVID-19, as defined in 42 U.S.C. 1320b-5(g) (1) 71
(B), ends. 72