
A BILL FOR AN ACT

RELATING TO VACCINES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that vaccines reduce the
2 risk of infection by working with the body's natural defenses to
3 develop immunity to disease. While some vaccines are effective,
4 there are vaccines that are not, yet vaccines are still
5 encouraged and required for certain things, including enrollment
6 in schools or employment at specific jobs. The legislature
7 finds that individuals may object to vaccines for medical and
8 religious purposes. However, the legislature also finds that
9 individuals may object to vaccines due to philosophical
10 objections, which include concerned parents who want to wait
11 until their child's immune system is more functional.

12 SECTION 2. Section 325-34, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**§325-34 Exemptions.** (a) Section 325-32 shall be
15 construed not to require the vaccination or immunization of any
16 person for three months after a duly licensed physician,
17 physician assistant, advanced practice registered nurse, or an



1 authorized representative of the department of health has signed
2 two copies of a certificate stating the name and address of the
3 person and that because of a stated cause the health of the
4 person would be endangered by the vaccination or immunization,
5 and has forwarded the original copy of the certificate to the
6 person or, if the person is a minor or under guardianship, to
7 the person's parent or guardian, and has forwarded the duplicate
8 copy of the certificate to the department for its files.

9 (b) No person shall be subjected to vaccination,
10 revaccination, or immunization~~[, who shall]~~ if the person
11 objects in writing [object thereto] to the vaccination,
12 revaccination, or immunization on the grounds that the
13 requirements are not in accordance with ~~[the]~~:

14 (1) The religious tenets of an established church of which
15 the person is a member or adherent[~~;~~]; or~~[~~if~~]~~

16 (2) The philosophical objection of the person.

17 If the person is a minor or under guardianship, [whose] written
18 objection under this subsection shall be made by the person's
19 parent or guardian [shall in writing object thereto on such
20 grounds, but no objection shall be recognized when,]. If in the
21 opinion of the director of health, there is danger of an



1 epidemic from any communicable disease[-], the director may
 2 order unvaccinated individuals to self-quarantine in their legal
 3 place of residence."

4 SECTION 3. The department of health may adopt rules
 5 pursuant to chapter 91 to carry out the purposes of this Act.

6 SECTION 4. Statutory material to be repealed is bracketed
 7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

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H.B. NO. 779

Report Title:

Vaccination; Immunization; Exemptions; Health

Description:

Exempts from vaccination, revaccination, or immunization requirements of the Department of Health, any person who objects in writing to the requirements due to the person's philosophical beliefs. Replaces the Director of Health's discretion to overcome an individual's objection because of an epidemic with authority to order unvaccinated individuals to self-quarantine at home.

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