

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2022 REGULAR SESSION
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Amend printed copy of **HB 51/HCS 1**

On page 9, line 3 and continuing through page 9, line 22, delete all language and insert the following in lieu thereof:

"(1) No state law, administrative regulation, executive order, executive directive, school board policy, or school policy shall require, nor permit any entity, official, employee, designee, or appointee, paid or unpaid, under its purview to require, the following in response to the COVID-19 virus or any mutated strain of the COVID-19 virus:

(a) The use of any type of medical device, including but not limited to any type of facial covering;

(b) The submission to any type of medical procedure or treatment, including but not limited to any type of vaccination or testing, with the exception of testing for illicit drug use or exposure; or

(c) The adherence to blanket health care recommendations of any kind, including but not limited to quarantines, with the exception of quarantines of individuals with demonstrable contagious infection or symptomatic individuals who also do not pass a test demonstrating that they are negative for contagious infection, issued by any federal, state, or local agency or officials, elected or not, including but not limited to local school boards or local health departments;

without the providing individuals the ability to opt out, on behalf of themselves or a

Amendment No. HFA

Rep. Rep. Josh Calloway

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRC Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

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dependent, from the requirement for any reason, without retribution or consequence, including but not limited to denial of any service, access to educational services or facilities, or any other disciplinary or academic penalty.

(2) A school or school district shall not require an individual that opts out on behalf of themselves or a dependent in accordance with subsection (1) of this section to submit any type of certification or documentation to secure an exemption from any requirement described in paragraphs (a) to (c) of subsection (1) of this section.

(3) Nothing in this section shall be interpreted to contradict the requirements of KRS 158.035 regarding certificates of immunization.

➔SECTION 4. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO READ AS FOLLOWS:

(1) No state law, administrative regulation, executive order, executive directive, or governing board of a public postsecondary education institution shall require, nor permit any entity, official, employee, designee, or appointee, paid or unpaid, under its purview to require, the following in response to the COVID-19 virus or any mutated strain of the COVID-19 virus:

(a) The use of any type of medical device, including but not limited to any type of facial covering;

(b) The submission to any type of medical procedure or treatment, including but not limited to any type of vaccination or testing, with the exception of testing for illicit drug use or exposure; or

(c) The adherence to blanket health care recommendations of any kind, including but not limited to quarantines, with the exception of quarantines of individuals with demonstrable contagious infection or symptomatic individuals who also do not pass a test demonstrating that they are negative for contagious infection, issued by any

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- federal, state, or local agency or officials, elected or not, including but not limited to local school boards or local health departments;*
- without providing the individuals the ability to opt out, on behalf of themselves or a dependent, from the requirement for any reason, without retribution or consequence, including but not limited to denial of any service, access to the institution, or any other academic or disciplinary penalty.*
- (2) An institution shall not require an individual that opts out on behalf or themselves or a dependent in accordance with subsection (1) of this section to submit any type of certification or documentation to secure an exemption from any requirement described in paragraphs (a) to (c) of subsection (1) of this section.*
- (3) Notwithstanding subsection (1) of this section, the following requirements may be permitted:*
- (a) A requirement imposed by a state licensing board prior to January 1, 2020, for an individual health care practitioner to wear a facial covering for the delivery of health care services; in that case, then the wearing of the face covering may be required; or*
- (b) A requirement necessary to maintain the integrity of the clinical research conducted by the institution that is consented to by each participant in the clinical research.*

➔Section 5. Whereas the ability of parents to opt children out of mandated masking in educational settings has been unjustly subverted during the COVID-19 pandemic, an emergency is declared to exist, and this Act takes effect upon its passage and approval by the Governor or upon its otherwise becoming a law."