

**Trevor Lee** proposes the following substitute bill:

**Educational Vaccine Exemption Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Trevor Lee**

Senate Sponsor:

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**LONG TITLE**

**General Description:**

This bill amends provisions regarding a vaccination exemption form for required immunizations in the public education system.

**Highlighted Provisions:**

This bill:

- repeals a requirement to complete an online education module to access a vaccination exemption form;
- requires the Department of Health and Human Services to:
  - provide an online vaccination exemption form; and
  - ensure the transmission of a completed online vaccination exemption form to the relevant school or LEA; and
- makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

**53G-9-301**, as last amended by Laws of Utah 2024, Chapter 464

**53G-9-304**, as last amended by Laws of Utah 2023, Chapter 328

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53G-9-301** is amended to read:

**53G-9-301 . Definitions.**

As used in this part:

(1) "Department" means the Department of Health and Human Services created in Section

26B-1-201.

- (2) "Health official" means an individual designated by a local health department from within the local health department to consult and counsel parents and licensed health care providers, in accordance with Subsection 53G-9-304(2)(a).
- (3) "Health official designee" means a licensed health care provider designated by a local health department, in accordance with Subsection 53G-9-304(2)(b), to consult with parents, licensed health care professionals, and school officials.
- (4) "Immunization" or "immunize" means a process through which an individual develops an immunity to a disease, through vaccination or natural exposure to the disease.
- (5) "Immunization record" means a record relating to a student that includes:
- (a) information regarding each required vaccination that the student has received, including the date each vaccine was administered, verified by:
    - (i) a licensed health care provider;
    - (ii) an authorized representative of a local health department;
    - (iii) an authorized representative of the department;
    - (iv) a registered nurse; or
    - (v) a pharmacist;
  - (b) information regarding each disease against which the student has been immunized by previously contracting the disease; and
  - (c) an exemption form identifying each required vaccination from which the student is exempt, including all required supporting documentation described in Section 53G-9-303.
- (6) "Legally responsible individual" means:
- (a) a student's parent;
  - (b) the student's legal guardian;
  - (c) an adult brother or sister of a student who has no legal guardian; or
  - (d) the student, if the student:
    - (i) is an adult; or
    - (ii) is a minor who may consent to treatment under Section 26B-4-321.
- (7) "Licensed health care provider" means a health care provider who is licensed under Title 58, Occupations and Professions, as:
- (a) a medical doctor;
  - (b) an osteopathic doctor;
  - (c) a physician assistant; or

(d) an advanced practice registered nurse.

(8) "Local health department" means the same as that term is defined in Section 26A-1-102.

(9) "Required vaccines" means vaccines required by department rule described in Section 53G-9-305.

(10)(a) "School" means any public or private:

(i) elementary or secondary school through grade 12;

(ii) preschool;

(iii) child care program, as that term is defined in Section 26B-2-401;

(iv) nursery school; or

(v) kindergarten.

(b) "School" does not include a:

(i) home school;

(ii) home-based microschool; or

(iii) micro-education entity.

(11) "Student" means an individual who attends a school.

(12) "Vaccinating" or "vaccination" means the administration of a vaccine.

(13) "Vaccination exemption form" means [a] an online form, described in Section 53G-9-304, that documents and verifies that a student is exempt from the requirement to receive one or more required vaccines.

(14) "Vaccine" means the substance licensed for use by the United States Food and Drug Administration that is injected into or otherwise administered to an individual to immunize the individual against a communicable disease.

Section 2. Section **53G-9-304** is amended to read:

**53G-9-304 . Vaccination exemption form.**

(1) The department shall:

(a) develop [a] an online vaccination exemption form that includes only the following information:

(i) identifying information regarding:

(A) the student to whom an exemption applies; and

(B) the legally responsible individual who claims the exemption for the student and signs the vaccination exemption form;

(ii) an indication regarding the vaccines to which the exemption relates;

(iii) a statement that the claimed exemption is for:

(A) a medical reason; or

- 98 (B) a personal or religious belief; and
- 99 (iv) an explanation of the requirements, in the event of an outbreak of a disease for
- 100 which a required vaccine exists, for a student who:
- 101 (A) has not received the required vaccine; and
- 102 (B) is not otherwise immune from the disease; ~~and~~
- 103 (b) provide the vaccination exemption form created in this Subsection (1) ~~to local~~
- 104 ~~health departments.] in an online format; and~~
- 105 (c) ensure the transmission of a completed online vaccination exemption form to the
- 106 relevant school or LEA.
- 107 (2)(a) Each local health department shall designate one or more individuals from within
- 108 the local health department as a health official to consult, regarding the requirements
- 109 of this part, with:
- 110 (i) parents, upon the request of parents;
- 111 (ii) school principals and administrators; and
- 112 (iii) licensed health care providers.
- 113 (b) A local health department may designate a licensed health care provider as a health
- 114 official designee to provide the services described in Subsection (2)(a).
- 115 ~~[(3)(a) To receive a vaccination exemption form described in Subsection (1), a legally~~
- 116 ~~responsible individual shall complete the online education module described in~~
- 117 ~~Section 26B-7-118, permitting an individual to:]~~
- 118 ~~[(i) complete any requirements online; and]~~
- 119 ~~[(ii) download and print the vaccine exemption form immediately upon completion of~~
- 120 ~~the requirements.]~~
- 121 ~~[(b) A legally responsible individual may decline to take the online education module~~
- 122 ~~and obtain a vaccination exemption form from a local health department if the~~
- 123 ~~individual:]~~
- 124 ~~[(i) requests and receives an in-person consultation at a local health department from~~
- 125 ~~a health official or a health official designee regarding the requirements of this~~
- 126 ~~part; and]~~
- 127 ~~[(ii) pays any fees established under Subsection (4)(b).]~~
- 128 ~~[(4)] (3)(a) Neither the department nor any other person may charge a fee for the~~
- 129 ~~exemption form[ offered through the online education module in Subsection (3)(a)].~~
- 130 (b) A local health department may establish a fee of up to \$25 to cover the costs of
- 131 providing an in-person consultation.

132           Section 3. **Effective Date.**

133           This bill takes effect on July 1, 2026.