

**SENATE, No. 4049**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED NOVEMBER 8, 2021

**Sponsored by:**

**Senator JOSEPH F. VITALE**

**District 19 (Middlesex)**

**SYNOPSIS**

Requires students, staff, and others present at institutions of higher education to receive COVID-19 vaccine.

**CURRENT VERSION OF TEXT**

As introduced.



1    **AN ACT** concerning student vaccinations and supplementing Title  
2       18A of the New Jersey Statutes.

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4       **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5       *of New Jersey:*

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7       1.   a.   The Commissioner of Health shall require vaccination  
8       against coronavirus disease 2019 (COVID-19) as a condition of in-  
9       person enrollment in, attendance of classes or activities at,  
10      employment by, or the provision of services at or through, a public  
11      or private institution of higher education in this State.

12      b.   Beginning with the 2021-2022 school year, an institution of  
13      higher education shall not enroll or retain on an in-person basis any  
14      student, or employ, retain, or utilize the services of any other  
15      individual on an in-person basis, who has not submitted acceptable  
16      evidence of the student's or other individual's vaccination against  
17      COVID-19, as provided by regulation of the Commissioner of  
18      Health.

19      c.   The Commissioner of Health shall require each institution of  
20      higher education in this State to offer the COVID-19 vaccination to  
21      its students, staff, employees, and in-person contracted workers  
22      through the institution's student health services program or through  
23      a contractual agreement with a community health care provider.

24      d.   A student or other individual shall not be required to receive  
25      a vaccination against COVID-19 under this section if the student or  
26      other individual, or the student or other individual's parent or  
27      guardian in the case of a student or other individual who is younger  
28      than 18 years of age, submits to the institution of higher education:

29       (1) a written statement issued by a licensed physician indicating  
30       that the COVID-19 vaccine is medically contraindicated for a  
31       specific period of time and the reasons for the medical  
32       contraindication, which shall be valid medical reasons as  
33       determined by regulation of the Commissioner of Health. A  
34       statement that meets the requirements of this paragraph shall  
35       exempt the student or other individual from the vaccination  
36       requirements of this section for the stated period of time; or

37       (2) a written statement explaining how the administration of the  
38       vaccine conflicts with the bona fide religious tenets or practices of  
39       the student or other individual, or the parent or guardian of the  
40       student or other individual, as appropriate; except that a general  
41       philosophical or moral objection to the vaccination shall not be  
42       sufficient for an exemption on religious grounds.

43      e.   No person shall be required to receive a vaccination against  
44      COVID-19 under this section if the person will have no in-person  
45      presence on the premises of an institution of higher education.

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47      2.   The Commissioner of Health shall adopt rules and  
48      regulations pursuant to the "Administrative Procedure Act,"

1 P.L.1968, c.410 (C.52:14B-1 et seq.), as shall be necessary to  
2 implement the provisions of this act.

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4 3. This act shall take effect immediately.

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STATEMENT

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9 This bill requires vaccination against coronavirus disease 2019  
10 (COVID-19) as a condition of in-person enrollment in, attendance  
11 of classes or activities at, employment by, or the provision of  
12 services at or through, a public or private institution of higher  
13 education in this State. Commence with the start of the 2021-2022  
14 school year, institutions of higher education will be prohibited from  
15 enrolling or retaining on an in-person basis any student, or  
16 employing, retaining, or utilizing the services of any other  
17 individual on an in-person basis, who has not submitted acceptable  
18 evidence of vaccination against COVID-19.

19 Each institution of higher education in New Jersey will be  
20 required to offer the COVID-19 vaccination to its students, staff,  
21 employees, and in-person contracted workers through the  
22 institution's student health services program or through a  
23 contractual agreement with a community health care provider.

24 A student or other individual may be granted an exemption from  
25 the COVID-19 vaccination requirements set forth in the bill if the  
26 student or other individual submits:

27 1) a written statement issued by a licensed physician indicating  
28 that the COVID-19 vaccine is medically contraindicated for a  
29 specific period of time and the reasons for the medical  
30 contraindication, which are to be valid medical reasons as  
31 established by the Commissioner of Health. The medical  
32 exemption will be valid for the period of time indicated in the  
33 physician's written statement; or

34 2) a written statement explaining how the administration of the  
35 vaccine conflicts with the bona fide religious tenets or practices of  
36 the student or other individual, or the student's or individual's  
37 parent or guardian, as appropriate; except that a general  
38 philosophical or moral objection to the vaccination will not be  
39 sufficient for an exemption on religious grounds.

40 No person will be required to receive a vaccination against  
41 COVID-19 under the bill if the person will have no in-person  
42 presence on the premises of an institution of higher education.