

# SENATE, No. 234

## STATE OF NEW JERSEY 220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Senator JOSEPH PENNACCHIO**

**District 26 (Essex, Morris and Passaic)**

**Senator MICHAEL L. TESTA, JR.**

**District 1 (Atlantic, Cape May and Cumberland)**

**Co-Sponsored by:**

**Senator Durr**

**SYNOPSIS**

“Children’s Vaccination Bill of Rights”; provides children in State with certain protections concerning vaccines.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 5/9/2022)**

1 AN ACT concerning the rights of certain children and  
2 supplementing Title 9 of the Revised Statutes.

3  
4 WHEREAS, Science has historically been beneficial in improving the  
5 lives of human beings, and the development of vaccines has been  
6 an integral part of that progress; and

7 WHEREAS, Although vaccines have contributed to a significant  
8 reduction in many childhood infectious diseases, vaccines should  
9 undergo the same scientific scrutiny and rigorous testing as new  
10 drugs and therapeutic medications to verify their safety and  
11 efficacy; and

12 WHEREAS, Science continually changes, and medical treatment may  
13 come with risks; and

14 WHEREAS, Numerous studies, as well as parents, have questioned the  
15 adverse reactions that can be caused by vaccines; and

16 WHEREAS, Children are dependent on their parents, who know and  
17 love them, and are reliant on their mothers and fathers for  
18 protection, to provide for their needs, and to safeguard their  
19 emotional well-being, physical safety, and health; and

20 WHEREAS, It is parents who are the ultimate guardians of their  
21 children's welfare and should be given the final say in what  
22 vaccines are administered to their children and the scheduling of  
23 such vaccinations, based on independent scientific evidence; and

24 WHEREAS, Government has a duty to protect the rights and freedom of  
25 all individuals, and its legitimacy is justified only when consented  
26 to by the people; and

27 WHEREAS, Any vaccination legislation enacted by the State of New  
28 Jersey must equally protect the rights of all children and their  
29 parents, and all constitutional safeguards should be applied,  
30 including religious liberty, when developing and implementing  
31 vaccination requirements for children; now, therefore,

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33 **BE IT ENACTED** by the Senate and General Assembly of the State  
34 of New Jersey:

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36 1. The act shall be known and may be cited as the "Children's  
37 Vaccination Bill of Rights Act."

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39 2. There is established a children's vaccination bill of rights for  
40 all children in this State:

41 a. All constitutional safeguards must be applicable in vaccine  
42 policies including religious liberty.

43 b. Vaccine policy must be applied equally to all children,  
44 regardless of race, religion, or economic status.

45 c. Section IV of the New Jersey Constitution reads: "The  
46 Legislature shall provide for the maintenance and support of a  
47 thorough and efficient system of free public schools for the  
48 instruction of all the children in the State between the ages of five

1 and eighteen years.” A child shall not be forced to receive  
2 vaccinations as a requirement for receiving the benefit of this  
3 constitutional right.

4 d. Vaccines must be studied by independent parties to verify  
5 their safety and efficacy.

6 e. There must be informed consent: parents must be told  
7 exactly what ingredients and chemicals are in vaccines and the  
8 potential risks before their children are inoculated.

9 f. Parents must be given the final say in what vaccines are  
10 administered to their children and their scheduling based on  
11 independent scientific evidence, including, but not limited to,  
12 double-blind placebo studies.

13 g. If the State is going to mandate vaccines, then the State shall  
14 be held liable for any damages caused by these vaccines.

15 h. The State shall offer a step-by-step explanation of how to  
16 pursue legal recourse if an individual suspects a vaccine injury has  
17 occurred.

18 i. Vaccine policymakers must listen to and consider input from  
19 all stakeholders and must consider the needs of all children.

20 j. Pending legislation dealing with vaccines shall disclose the  
21 Department of Health policies specific to that legislation.

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23 3. The Department of Health shall adopt, pursuant to the  
24 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-  
25 1 et seq.), rules and regulations necessary to effectuate the purposes  
26 of this act.

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28 4. This act shall take effect on the first day of the third month  
29 next following the date of enactment.

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#### STATEMENT

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34 This bill creates a “Children’s Vaccination Bill of Rights,” that  
35 provides a child who is required to be vaccinated in the State with  
36 certain protections concerning vaccine safety, liability for injury,  
37 and religious liberty.