SENATE, No. 1921

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 25, 2020

Sponsored by:
Senator JOSEPH PENNACCHIO
District 26 (Essex, Morris and Passaic)
Senator MICHAEL L. TESTA, JR.
District 1 (Atlantic, Cape May and Cumberland)

SYNOPSIS

"Children's Vaccination Bill of Rights"; provides children in State with certain protections concerning vaccines.

CURRENT VERSION OF TEXT

As introduced.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STATEMENT

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