

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1228

H.P. 776

House of Representatives, March 21, 2023

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**An Act to Prohibit Certain Higher Education Institutions from  
Requiring Vaccines Approved Under Emergency Use Authorization  
for Admission or Attendance**

(EMERGENCY)

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

*Robert B. Hunt*

ROBERT B. HUNT  
Clerk

Presented by Representative SMITH of Palermo.

Cosponsored by Representatives: HENDERSON of Rumford, HYMES of Waldo, QUINT of Hodgdon, SCHMERSAL-BURGESS of Mexico, STROUT of Harrington.

**Emergency preamble.** Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas**, students are missing out on educational opportunities because they refuse to obtain a vaccine that has been approved by the federal Food and Drug Administration under emergency use authorization; and

**Whereas**, this Act would provide the immediate action required to allow those students to begin or resume their postsecondary educations; and

**Whereas**, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 20-A MRSA §10016** is enacted to read:

**§10016. Certain vaccines not required**

The University of Maine System, the Maine Community College System and the Maine Maritime Academy may not require as a condition of acceptance or attendance that a student be immunized with a vaccine that is approved by the federal Food and Drug Administration under emergency use authorization.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

## SUMMARY

This bill prohibits certain postsecondary educational institutions from requiring a student to be immunized with a vaccine that is approved by the federal Food and Drug Administration under emergency use authorization.