

ACT 6

H.B. NO. 991

A Bill for an Act Relating to Vaccination Requirements.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 325-31, Hawaii Revised Statutes, is repealed.

SECTION 2. Chapter 325, Hawaii Revised Statutes, is amended in the following manner:

1. By amending section 325-32 to read as follows:

“Sec. 325-32 Immunization against infectious diseases. The department of health may make regulations requiring and governing immunization against typhoid fever, pertussis (whooping cough), diphtheria, tetanus, poliomyelitis, measles, mumps, small pox, and any other communicable disease, if a suitable immunizing agent is available for the disease and a need for immunization against it exists within the State.”

2. By amending section 325-34 to read as follows:

“Sec. 325-34 Exemptions. Section 325-32 shall be construed not to require the vaccination or immunization of any person for three months after a duly licensed physician or an authorized representative of the department of health has signed two copies of a certificate stating the name and address of the person and that because of a stated cause the health of the person would be endangered by the vaccination or immunization, and has forwarded the original copy of the certificate to the person or, if he is a minor or under guardianship, to his parent or guardian, and has forwarded the duplicate copy of the certificate to the department for its files.

No person shall be subjected to vaccination, revaccination or immunization, who shall in writing object thereto on the grounds that the requirements are not in accordance with the religious tenets of an established church of which he is a member or adherent, or, if he is a minor or under guardianship, whose parent or guardian shall in writing object thereto on such grounds, but no objection shall be recognized when, in the opinion of the director of health, there is danger of an epidemic from any communicable disease.”

3. By amending section 325-35 to read as follows:

“Sec. 325-35 Forms and procedures. The department of health may prescribe forms and procedures to achieve the purposes of sections 325-32 to 325-34 and shall maintain in the offices of the department in Honolulu, Hilo, Wailuku, Lihue, and Kaunakakai, a complete roster of all exemptions from vaccination or immunization granted by that office.”

4. By amending section 325-37 to read as follows:

“Sec. 325-37 Fraud; wilful misrepresentation; failure to comply; penalties. Any person who by fraud or wilful misrepresentation circumvents or defeats or attempts to circumvent or defeat any purpose or provision of any of sections 325-32 to 325-34 or who, required by any provision of section 325-32, to be vaccinated or immunized, fails to be so vaccinated or immunized shall be fined not more than \$25 or imprisoned not more than thirty days, or both.”

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 4. This Act shall take effect upon its approval.

(Approved March 16, 1974.)

*Edited accordingly.