

# States Without Religious Exemptions to Childhood Immunization Requirements

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## Issue

Summarize laws eliminating religious exemptions from childhood school immunization requirements.

This report updates OLR Report [2019-R-0241](#).

## Summary

All states require children to receive certain vaccinations before school admission and grant exemptions for medical reasons. Six states currently do not allow religious exemptions from these vaccination requirements: California, Connecticut, Maine, Mississippi, New York, and West Virginia. (While Connecticut became the sixth state to pass such a law, its law took effect earlier than Maine's law.)

Four of these states' laws (California, Connecticut, Maine, and New York) offer specified exceptions or contain additional related provisions, such as grandfathering in certain students or giving students who previously claimed the exemption more time to complete the required vaccinations.

The following table indicates how these six states eliminated the religious exemption and summarizes any exceptions or additional provisions of the relevant laws.

### *Nonmedical Exemptions*

*For an overview of laws on nonmedical exemptions to childhood immunization requirements, see the National Conference of State Legislatures [website](#).*

**Table 1: States Without Religious Exemptions From School Vaccination Requirements**

State	How Exemption Was Eliminated	Exceptions or Additional Provisions
<b>California</b>	Eliminated its personal belief exemption (including religious beliefs) in 2015, with the passage of <a href="#">SB 277</a> .	<p>Under the law, if the state adds more vaccinations to the required list for school entry, students must be allowed to claim a personal belief exemption from such vaccinations (<a href="#">Cal. Health and Safety Code § 120338</a>).</p> <p>Children who filed personal belief exemptions before January 1, 2016, may continue to claim the exemption until they reach their next “grade span.” There are three grade spans: birth to preschool, K-6, and 7-12 (<a href="#">Id. § 120335(g)</a>).</p> <p>The law specifies that it does not prohibit a student who qualifies for an individualized education program (IEP) from accessing any special education and related services required by his or her IEP (<a href="#">Id. § 120335(h)</a>).</p>
<b>Connecticut</b>	Eliminated its religious exemption in 2021, with the passage of SHB 6423 ( <a href="#">PA 21-6</a> ).	<p>The law eliminated the exemption as of April 28, 2021, and grandfathers in individuals enrolled in grades kindergarten or higher who submitted a religious exemption prior to April 28, 2021. It continues to grandfather these students if they transfer to another public or private school in the state (i.e., a primary or secondary school).</p> <p>Under the law, individuals with prior religious exemptions who are enrolled in pre-kindergarten or other preschool programs generally must comply with immunization requirements by September 1, 2022, or within 14 days after transferring to a different public or private program, whichever is later. However, the law allows these children to extend the timeframe within which they must comply if they present a written declaration from their physician,</p>

Table 1 (continued)

State	How Exemption Was Eliminated	Exceptions or Additional Provisions
		<p>physician assistant, or advanced practice registered nurse that an alternative immunization schedule is recommended.</p> <p>(For more information on Connecticut’s law, see this guidance <a href="#">document</a> from the state Department of Education.)</p>
<b>Maine</b>	<p>Eliminated its religious and personal belief exemption in 2019, with the passage of <a href="#">HP 586</a>.</p>	<p>The law eliminated the exemption as of September 1, 2021, and grandfathers in students with IEPs who claimed an exemption by that date. For these students, the parent or guardian (or students themselves if age 18 or older) must provide a statement from a physician, nurse practitioner, or physician assistant that such provider has consulted with the parent, guardian, or student as applicable and made him or her aware of the risks and benefits associated with the choice to immunize (<a href="#">Me. Rev. Stat. tit. 20-A, § 6355</a>).</p>
<b>Mississippi</b>	<p>Its religious exemption, enacted in 1960, was struck down by the state’s Supreme Court in 1979 as an equal protection violation and thus unconstitutional (<a href="#">Brown v. Stone</a>, 378 So.2d 218 (Miss. 1979)).</p>	<p>None</p>
<b>New York</b>	<p>Eliminated its religious exemption in 2019, with the passage of <a href="#">A02371</a>.</p>	<p>For the 2019-2020 school year only, the law allowed school entry for students who had not completed all of the required immunizations if, within certain time frames, they showed that they had received their first dose of each required immunization and had age-appropriate appointments scheduled to receive the remainder.</p> <p>(For more information on New York’s law, see this Frequently Asked</p>

Table 1 (continued)

State	How Exemption Was Eliminated	Exceptions or Additional Provisions
		Questions <a href="#">document</a> on the state Department of Health website.)
<b>West Virginia</b>	The state has never allowed religious exemptions.	None

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