

HOUSE BILL

AN ACT relative to state enforcement of federal vaccination mandates

SPONSORS:

COMMITTEE:

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to state enforcement of federal vaccination mandates

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Establish the following new title in X: Public Health:

Title 141-K: Public Health Sovereignty

I. This state shall not engage in the enforcement of, or any collaboration with the enforcement of, any federal law, order, or rule that effectively requires any person as a condition of his or her employment, or as a condition of any other activity, to submit proof of vaccination against COVID-19 or any variant thereof, or to submit more than once per month a negative test for COVID-19 or any variant thereof. No state or local government agency, and no official or employee thereof, shall enforce or assist in the enforcement or administration of any such law, order, or rule.

II. Such prohibited activities shall include:

- (a) investigating the violation of, or imposing any penalty for the violation of, any law, order, or rule addressed by paragraph I;
- (b) providing any assistance to any federal department or agency in investigating or penalizing the violation of any law, order, or rule addressed by paragraph I, either through personnel activity or through the use of any state or local government property; or
- (c) providing the COVID-19 vaccination status of any named individual to any federal department or agency, or engaging in any communication with any federal department or agency regarding any investigation into a violation of a law order, or rule addressed by paragraph I.

III. If any provision of this act or any application of such provision to any particular person or circumstance is held to be invalid by any court of law, the remainder of this act and any remaining application of its provisions to any other person or circumstance shall not be affected.

2 Amend RSA 106-L by inserting the following new provision:

106-L:17

106-L:17 Public Health Sovereignty — The Police Standards and Training Council shall adopt a rule or rules under RSA 541-A to implement Title 141-K, including provisions providing for the suspension or revocation of the certification of law enforcement officers, pursuant to 106-L:5.V, who fail to comply with the Council's standards implementing Title 141-K.

3 Amend RSA 126-A by inserting the following new provision:

Section 126-A:89

Section 126-A:89 Public Health Sovereignty —

I. The department of health and human services shall prepare and adopt internal policies implementing Title 141-K, including provisions providing for the suspension or termination of department employees who fail to comply with Title 141-K.

II. Within one hundred and eighty days of the passage of this act, the commissioner of the department of health and human services shall submit a report to the president of the senate, the speaker of the house of representatives, the governor, and the chairpersons of the house and senate committees having jurisdiction over health and human services, containing the policies adopted pursuant to paragraph I and describing any activities undertaken by the department to comply with and ensure future compliance with Title 141-K.

4 This act shall take effect upon its passage.