



# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1228

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H.P. 776

House of Representatives, March 21, 2023

**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.

A handwritten signature in cursive script that reads "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.

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

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

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

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

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

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

14 **§10016. Certain vaccines not required**

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

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

21 **SUMMARY**

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