

2025 -- H 5856

LC001043

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO HEALTH AND SAFETY -- VACCINATION, TESTING, AND MASK
MANDATES PROHIBITION

Introduced By: Representatives Roberts, Quattrocchi, Place, Chippendale, Fascia,
Santucci, and Nardone

Date Introduced: February 28, 2025

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 23 of the General Laws entitled "HEALTH AND SAFETY" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 104

4 VACCINATION, TESTING, AND MASK MANDATES PROHIBITION

5 **23-104-1. Title.**

6 This chapter shall be known and cited as the "Vaccination, Testing, and Mask Mandates
7 Prohibition".

8 **23-104-2. Employer vaccination, testing, and mask mandates prohibition.**

9 (a) No person or entity shall impose vaccination, testing, and mask mandates for any reason
10 on another person without providing for an opt out of such requirement on the basis of personal
11 belief, medical reasons, including, but not limited to, pregnancy or anticipated pregnancy, religious
12 reasons, COVID-19 or other virus or pathogen immunity, periodic testing, or the use of employer-
13 provided personal protective equipment.

14 (b) If the person or entity requesting compliance with a mandate, subject to subsection (a)
15 of this section, receives a completed exemption statement pursuant to this chapter, the person or
16 entity imposing the mandate shall allow the person subject to the mandate to opt out of the mandate.

17 **23-104-3. Exemptions.**

18 (a) To claim an exemption based on medical reasons including, but not limited to,

1 pregnancy or anticipated pregnancy, a person shall present to the person or entity requesting
2 compliance with the mandate an exemption statement, dated and signed by a physician or a
3 physician assistant, licensed by the department of health, or an advanced practice registered nurse,
4 licensed by the department of health, who has examined the employee. The statement shall provide
5 that, in the professional opinion of the physician, physician assistant, or advanced practice
6 registered nurse, vaccination, testing, or mask mandates are not in the best medical interest of the
7 person otherwise subject to the mandate. The department of health shall adopt rules specifying
8 circumstances that are considered an anticipated pregnancy including, but not limited to, a
9 maximum timeframe within which one anticipates pregnancy for the purpose of claiming an
10 exemption under this section.

11 (b) To claim an exemption based on personal belief or for religious reasons, the person
12 otherwise subject to the mandate shall present to the person or entity requesting compliance with
13 the mandate an exemption statement indicating that the person declines vaccination, testing, and/or
14 mask mandates because of a sincerely held personal or religious belief.

15 (c) To claim an exemption based on immunity, the person or entity requesting compliance
16 with the mandate shall present to the person or entity requesting compliance with the mandate an
17 exemption statement demonstrating competent medical evidence that the person has immunity to
18 the virus or pathogen, documented by the results of a valid laboratory test performed on the person.
19 The department of health shall adopt a standard for demonstrating competent medical evidence of
20 such immunity.

21 (d) To claim an exemption based on periodic testing, the person otherwise subject to the
22 mandate shall present to the person or entity requesting compliance with the mandate an exemption
23 statement indicating that the person agrees to comply with regular testing for the presence of the
24 subject virus or pathogen at no cost to the person otherwise subject to the mandate.

25 (e) To claim an exemption based on the person or entity requesting compliance with the
26 mandate providing personal protective equipment, the person otherwise subject to the mandate shall
27 present to the person or entity requesting compliance an exemption statement indicating that the
28 person agrees to comply with the person's or entity's reasonable written requirement to use provided
29 personal protective equipment when in the presence of the person or on the premises of the entity
30 or around other persons on the entity's premises.

31 (f) A person or entity requesting compliance with the mandate shall use forms adopted by
32 the department of health, or substantially similar forms, for persons to submit exemption
33 statements.

34 (g) The provisions of this section shall apply to any and all relationships in which the person

1 or entity requesting compliance with the mandate exercises control, power, supervision or
2 responsibility for the person requested to comply with the mandate and shall include, but not be
3 limited to, the relationships of:

4 (1) Employer/employee;

5 (2) Teacher/student;

6 (3) Landlord/tenant;

7 (4) Business operator/customer;

8 (5) Guardian/ward; and

9 (6) Healthcare provider/patient.

10 **23-104-4. Complaint.**

11 (a) Any person may file a complaint with the attorney general alleging that an exemption
12 has not been offered or has been improperly applied or denied in violation of the provisions of this
13 chapter. If the office of the attorney general investigates and finds that the exemption was not
14 offered or was improperly applied or denied, the attorney general shall notify the person or entity
15 requesting compliance with the mandate of the attorney general's determination and allow the
16 person or entity the opportunity to cure the noncompliance.

17 (b) If a person or entity fails to comply with the provisions of this chapter and terminates
18 services or rights of the person based on a vaccination, testing, and mask mandate related to a virus
19 or pathogen, the aggrieved person may file a complaint with the office of the attorney general
20 alleging that an exemption has not been offered or has been improperly applied or denied, resulting
21 in the termination of services or rights in violation of this chapter. The office of the attorney general
22 shall conduct an investigation of the complaint filed by the aggrieved person. The investigation, at
23 a minimum, shall determine whether the person or entity allegedly requesting compliance with the
24 mandate has in fact imposed a vaccination, testing, and mask mandate related to a virus or pathogen.
25 If the attorney general finds that a person has been improperly denied or terminated services or
26 rights, the attorney general shall impose an administrative fine not to exceed:

27 (1) For a person or entity with fewer than one hundred (100) persons who were requested
28 to comply with the mandate, ten thousand dollars (\$10,000) per violation of this chapter.

29 (2) For a person or entity with one hundred (100) or more persons who were requested to
30 comply with the mandate, fifty thousand dollars (\$50,000) per violation of this chapter.

31 (3) The attorney general shall not impose a fine on a person or entity that reinstates the
32 rights and makes the aggrieved person economically whole, prior to the issuance of a final order.

33 **23-104-5. Penalties.**

34 (a) In determining the amount of fine to be levied for a violation, the attorney general may

1 consider any of the following factors:

2 (1) Whether the person or entity knowingly and willfully violated this chapter;

3 (2) Whether the person or entity has shown good faith in attempting to comply with the
4 requirements of this chapter;

5 (3) Whether the person or entity has taken any action to correct the violation;

6 (4) Whether the person or entity has previously been assessed a fine for violating the
7 provisions of this chapter; and

8 (5) Any other mitigating or aggravating factor that fairness and due process requires.

9 (b) All fines collected pursuant to this chapter shall be deposited into the general revenue
10 fund.

11 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO HEALTH AND SAFETY -- VACCINATION, TESTING, AND MASK
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1 This act would prohibit any person or entity exercising control, power, supervision or
2 responsibility for another person to mandate a vaccination without providing individual exemptions
3 that allow a person to opt out of such mandate on the basis of personal or medical reasons, religious
4 reasons, immunity, periodic testing, or the use of provided personal protective equipment. Any
5 person or entity that violates this requirement, following an investigation by the attorney general's
6 office, may be subject to fines of ten thousand dollars (\$10,000) per violation and in specified
7 circumstances up to fifty thousand dollars (\$50,000) per violation.

8 This act would take effect upon passage.

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