

SESSION OF 2023

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 314**

As Recommended by Senate Committee on  
Public Health and Welfare

**Brief**

SB 314 would prohibit the Secretary of Health and Environment (Secretary) from requiring a COVID-19 vaccine for any child cared for in a child care facility, any student enrolling or enrolled in a school for the first time in Kansas, any child enrolling or enrolled for the first time in a preschool or daycare program operated by a school, and any other such students as may be designated by the Secretary, prior to admission or attendance at school. The bill would define the COVID-19 vaccine as an immunization, vaccination, or injection against disease caused by a variant of the novel coronavirus identified as SARS-CoV-2 or disease caused by a variant of the virus. The bill would also make technical amendments.

[*Note:* “School,” as defined in continuing law pertaining to student health (KSA 72-6261), means all elementary, junior high, or high schools within the state.]

The bill would be in effect upon publication in the *Kansas Register*.

**Background**

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of Senator Blasi.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

### **Senate Committee on Public Health and Welfare**

In the Senate Committee hearing on March 22, 2023, written-only **proponent** testimony was provided by a pediatrician.

Written-only neutral testimony was provided by a representative of the Kansas Department of Health and Environment (KDHE).

**Opponent** testimony was provided by representatives of Immunize Kansas Coalition and Kansas Action for Children who generally stated the need to protect the integrity of the current process by which the immunization schedule is set for childcare and school entry in Kansas and avoid placing the entire required childhood vaccination list in question or risk. The opponents noted there has been no consideration or attempt by KDHE to add the COVID-19 vaccination to the Kansas vaccination requirements or schedule.

Written-only opponent testimony was provided by representatives of the Kansas Association of Local Health Departments, Kansas Chapter of the American Academy of Pediatrics, Kansas National Education Association, Kansas Public Health Association, Nurture KC, and Sedgwick County Health Department, a Norton County Republican Party Chairperson, a Sedgwick County Precinct Committeeperson, a Sedgwick County Republican Precinct Committeeperson, and seven private citizens.

### **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, KDHE and the State Department of Education indicate enactment of the bill would not have any fiscal effect on the operations of either agency.

Public health; immunizations; COVID-19 vaccination; child care facility; school; preschool; day care program; Secretary of Health and Environment