



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-5831/1
JPC:klm

2021 ASSEMBLY BILL 1090

March 7, 2022 - Introduced by Representatives ALLEN, BROOKS, ARMSTRONG and HORLACHER. Referred to Committee on Constitution and Ethics.

1 **AN ACT to amend** 252.041 (1) (a) of the statutes; **relating to:** restricting
2 compulsory vaccination during a state of emergency to only vaccines for which
3 the vaccine manufacturer is liable for injury.

Analysis by the Legislative Reference Bureau

Under current law, during a state of emergency related to public health in which the Department of Health Services is designated as the lead agency, DHS may order any individual to receive a vaccination unless the vaccination is reasonably likely to lead to serious harm to the individual or unless the individual, for reasons of religion or conscience, refuses to obtain the vaccination. This bill restricts DHS from ordering any individual to receive a vaccination unless the vaccine manufacturer is liable for any injuries caused by the receipt of the vaccination.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 252.041 (1) (a) of the statutes is amended to read:
5 252.041 (1) (a) Order any individual to receive a vaccination unless the
6 vaccination is reasonably likely to lead to serious harm to the individual or unless
7 the individual, for reasons of religion or conscience, refuses to obtain the vaccination.

ASSEMBLY BILL 1090

SECTION 1

1 The department may only order an individual to receive a vaccination under this
2 paragraph if the manufacturer of the vaccine is liable for any injuries that are caused
3 by the receipt of the vaccination.

4 (END)