

Subject: <i>Exemptions from Immunization Form</i>	Legal Reference—HB 1035 (2021-2022 legislative session)
Date: <i>August 8, 2022</i>	<ul style="list-style-type: none">• RSA 141-C:20-c

This Technical Advisory continues the New Hampshire Department of Education’s communication regarding new legislation which was passed during the 2021-2022 legislative session. HB 1035 amended RSA 141-C:20-c. The new law eliminates the notary requirement on the religious exemptions form.

During the 2021-2022 legislative session, HB 1035 was passed into law, which pertains to the exemptions from immunizations. By way of relevant background, RSA 141-C:20-a, provides, in relevant part, that:

- I. All parents or legal guardians shall have their children who are residing in this state immunized against certain diseases. These diseases shall include, but not be limited to, diphtheria, mumps, pertussis, poliomyelitis, rubella, rubeola, and tetanus. The commissioner shall adopt rules under RSA 541-A relative to other diseases which require immunization.
- II. No child shall be admitted or enrolled in any school or child care agency, public or private, unless the following is demonstrated:
 - (a) Immunization under paragraph I;
 - (b) Partial immunization relative to the age of the child as specified in rules adopted by the commissioner; or
 - (c) Exemption under RSA 141-C:20-c.**

For purposes of this section, the term “school” means “any facility which provides primary or secondary education.” As such, RSA 141-C:20-a, and the exemptions provided for in RSA 141-C:20-c, are applicable to **public schools, public charter schools, and non-public schools.**

RSA 141-C:20-c, provides exemptions from the immunization requirement. Specifically, RSA 141-C:20-c, II, allows for an exemption based upon religious beliefs. Previously, a parent or legal guardian had to sign a *notarized form* which stated that the child had not been immunized due to religious beliefs. HB 1035 eliminates the notarization requirement. The new law does not change any other process for the religious exemption other than the removal of the notary requirement.

The New Hampshire Department of Health and Human Services Immunization Program has revised the “New Hampshire Childcare/School Immunization Religious Exemption Certificate” to comply with the updated statute. The new form can be found on the DHHS website.

[HB 1035](#) became *effective July 19, 2022.*

For questions related to this Technical Advisory, please contact:

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