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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 253  
134<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Rep. Cutrona

Elizabeth Molnar, Attorney

### SUMMARY

- Prohibits an individual from being required to show proof of vaccination against COVID-19 in order to enter Ohio or any state building or facility.
- Prohibits a state agency or political subdivision from issuing an order or enacting a law requiring an individual to show proof of vaccination against COVID-19.
- Prohibits the disclosure of an individual's COVID-19 vaccination status without the individual's written consent.

### DETAILED ANALYSIS

#### Proof of COVID-19 vaccination

Sub. H.B. 253 prohibits an individual from being required to show proof of vaccination against COVID-19 in order to enter either of the following:

- The state of Ohio;
- A building or facility controlled, operated, or owned by a state agency.<sup>1</sup>

For purposes of the bill, proof of vaccination against COVID-19 may include a digital application on a smartphone, tablet, or other device that demonstrates, including through the use of a scannable code, that an individual has been vaccinated against COVID-19.<sup>2</sup>

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<sup>1</sup> R.C. 3792.02(B)(1).

<sup>2</sup> R.C. 3792.02(B)(C).

## Prohibition on orders or laws requiring proof of COVID-19 vaccination

The bill prohibits a state agency or political subdivision from issuing an order or enacting a law requiring an individual to show proof of vaccination against COVID-19.<sup>3</sup> A “state agency” is any entity established by Ohio law for the exercise of state government, but does not include a court. And a “political subdivision” is defined to include a county, township, municipal corporation, school district, board of health, or other body corporate and politic responsible for governmental activities in a geographic area smaller than that of Ohio.<sup>4</sup>

## Disclosure of COVID-19 vaccination status

The bill specifies that an individual’s COVID-19 vaccination status is confidential.<sup>5</sup> It also prohibits any individual, corporation, business trust, estate, trust, partnership, association, political subdivision, or state agency – except when required by federal law – from disclosing or releasing information regarding an individual’s COVID-19 vaccination status without the individual’s written consent.<sup>6</sup>

The bill does not specify a penalty for violating its prohibitions.

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## HISTORY

Action	Date
Introduced	04-12-21

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H0253-I-134/ts

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<sup>3</sup> R.C. 3792.02(B)(2).

<sup>4</sup> R.C. 3792.02(A)(2) and (3).

<sup>5</sup> R.C. 3792.02(C)(1).

<sup>6</sup> R.C. 3792.02(C)(2).