



ROSENSTEIN, FIST & RINGOLD

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## RED BANNER UPDATE

**Date:** June 4, 2021

**Re:** SB 658

**Signed:** May 28, 2021

**Effective:** July 1, 2021

**Topic:** Immunizations and Mask Mandates

**Summary:** This Act amends OKLA. STAT. tit. 70, § 1210.191 regarding immunization requests. It also creates two new laws: one prohibiting COVID-19 vaccinations as a condition of admittance and a second prescribing when and how school districts may implement mask mandates.

### Immunization Requests

The Act requires that each school district provide the following information regarding immunization requirements for school attendance on its website and in any notice or publication provided to parents regarding immunization requests: “For school enrollment, a parent or guardian shall provide one of the following: (1) current, up-to-date immunization records; or (2) a completed and signed exemption form.”

### COVID-19 Vaccinations, Vaccine Passports, and Mask Mandates for Non-Vaccinated Students

The Act also prohibits school districts from the following actions: (1) requiring a vaccination against COVID-19 as a condition of admittance or attendance; (2) requiring a “vaccine passport” (defined as documentation that an individual has been vaccinated against COVID-19) as a condition of admittance or attendance; and (3) implementing a mask mandate for students who have not been vaccinated against COVID-19.



Mask Mandates

Finally, the Act prohibits school districts from implementing a mandate to wear a mask or other medical device except as provided in the Act. Before a school board may implement such a mandate, it must first consult with the local county health department or city-county health department within the jurisdiction of where the board is located and then may only implement the mandate when there is a current governor-declared state of emergency in that jurisdiction. The mandate must (1) explicitly list the purposes for the mandate and (2) reference the specific masks or medical devices that would meet the mandate's requirements. Any implemented mandate must be reconsidered at each regularly-scheduled board meeting.

Please visit the firm's website to view the signed Act.

RFR attorneys are reviewing this legislation and will be advising clients as to any recommended changes to existing district policies.