

118TH CONGRESS
1ST SESSION

S. 169

To prohibit certain COVID–19 vaccination mandates for minors, and to
require parental consent for COVID–19 vaccination of minors.

IN THE SENATE OF THE UNITED STATES

JANUARY 31, 2023

Mr. CRUZ introduced the following bill; which was read twice and referred to
the Committee on Health, Education, Labor, and Pensions

A BILL

To prohibit certain COVID–19 vaccination mandates for mi-
nors, and to require parental consent for COVID–19
vaccination of minors.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Parental Rights Pro-
5 tection Act”.

6 **SEC. 2. PROHIBITIONS AGAINST COVID–19 VACCINATION**
7 **MANDATES FOR MINORS.**

8 (a) PROHIBITION AGAINST MANDATES.—Neither the
9 Federal Government, nor any agency, grantee, payee, or
10 recipient, including any State, local, Tribal, or territorial

1 governmental entity (including any local educational agen-
 2 cy, as defined in section 8101 of the Elementary and Sec-
 3 ondary Education Act of 1965 (20 U.S.C. 7801)), that
 4 receives any Federal funds from the Department of Edu-
 5 cation or the Department of Health and Human Services
 6 may require or otherwise mandate that any individual age
 7 18 or younger receive a COVID–19 vaccine.

8 (b) PROHIBITION AGAINST SCHOOL MANDATES.—

9 (1) IN GENERAL.—A local educational agency
 10 (as defined in section 8101 of the Elementary and
 11 Secondary Education Act of 1965 (20 U.S.C. 7801))
 12 that imposes a mandate requiring any students age
 13 18 or younger to receive a COVID–19 vaccine shall
 14 be subject to the penalty described in paragraph (2).

15 (2) PENALTY.—A local educational agency that
 16 imposes a mandate described in paragraph (1) shall
 17 not be eligible to receive funding under part A of
 18 title IV of the Elementary and Secondary Education
 19 Act of 1965 (20 U.S.C. 7101 et seq.) or under part
 20 A of title II of such Act (20 U.S.C. 6611 et seq.)
 21 beginning on the later of—

22 (A) the date of enactment of this Act; or

23 (B) the date on which such mandate be-
 24 comes effective.

1 (3) RESUMED ELIGIBILITY.—If a local edu-
 2 cational agency ends the mandate described in para-
 3 graph (1) that local educational agency shall become
 4 eligible to receive the funding described in paragraph
 5 (2) as of the date on which that mandate is no
 6 longer effective.

7 **SEC. 3. PARENTAL CONSENT FOR VACCINATION OF MI-**
 8 **NORS.**

9 No COVID–19 vaccine may be administered to any
 10 individual age 18 or younger unless a parent, guardian,
 11 conservator, or attorney-in-fact of the minor provides
 12 prior, written, informed consent for the minor to receive
 13 such vaccine.

14 **SEC. 4. APPLICABLE VACCINES.**

15 For purposes of sections 2 and 3, the term “COVID–
 16 19 vaccine” means any vaccine against COVID–19 that
 17 only received authorization by the Food and Drug Admin-
 18 istration through an emergency use authorization pursu-
 19 ant to section 564 of the Federal Food, Drug, and Cos-
 20 metic Act (21 U.S.C. 360bbb–3), or that has received such
 21 authorization prior to receiving full approval or licensure
 22 under section 505 of the Federal Food, Drug, and Cos-
 23 metic Act (21 U.S.C. 355) or section 351 of the Public
 24 Health Service Act (42 U.S.C. 262).

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