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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 261

01/21/2021 Authored by Erickson, Theis, Dettmer, Urdahl, Bennett and others
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health; providing for availability of COVID-19 vaccines for school
1.3 employees.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. AVAILABILITY OF COVID-19 VACCINES TO SCHOOL EMPLOYEES.

1.6 Subdivision 1. Definitions. (a) The terms defined in this subdivision apply to this section.

1.7 (b) "Contract employee" means an employee of an organization that provides
1.8 student-related services throughout the school year to a school, whose primary task is to
1.9 provide services to students attending a school.

1.10 (c) "COVID-19 vaccine" means a vaccine against severe acute respiratory syndrome
1.11 coronavirus 2 (SARS-CoV-2).

1.12 (d) "School administrator" means a school superintendent, principal, assistant principal,
1.13 or other person having general control and supervision of a school.

1.14 (e) "Teacher" means a classroom teacher or other school employee required to hold a
1.15 license from the Professional Educator Licensing and Standards Board.

1.16 Subd. 2. Application. The provisions in this section shall apply notwithstanding any
1.17 law, rule, executive order, or agency guidance to the contrary.

1.18 Subd. 3. COVID-19 vaccine availability. In the state strategy for COVID-19 vaccine
1.19 distribution in Minnesota, the commissioner of health shall make COVID-19 vaccines
1.20 available to teachers, school administrators, education paraprofessionals, and other school

2.1 employees, including contract employees, in the distribution phase in which COVID-19  
2.2 vaccines are made available to frontline essential workers, as identified by the commissioner.

2.3 Subd. 4. COVID-19 vaccines not required. A teacher, school administrator, education  
2.4 paraprofessional, or other school employee, including a contract employee, shall not be  
2.5 required to obtain a COVID-19 vaccine in order to provide services on an in-person basis  
2.6 at a public school. A student shall not be required to obtain a COVID-19 vaccine in order  
2.7 to receive instruction on an in-person basis at a public school, or to enroll in or remain  
2.8 enrolled in a public school.

2.9 **EFFECTIVE DATE.** This section is effective the day following final enactment.