

117TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To prohibit vaccination mandates for COVID–19.

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IN THE SENATE OF THE UNITED STATES

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Mr. CRUZ introduced the following bill; which was read twice and referred to  
the Committee on \_\_\_\_\_

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**A BILL**

To prohibit vaccination mandates for COVID–19.

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 “No Vaccine Mandates  
5 Act of 2021”.

6 **SEC. 2. VACCINATIONS.**

7 (a) IN GENERAL.—Part I of title 18, United States  
8 Code, is amended by inserting after chapter 117 the fol-  
9 lowing:

10 **“CHAPTER 117A—VACCINATIONS**

11 **“§ 2431. Vaccinations**

12 **“(a) REQUIREMENTS.—**

1           “(1) IN GENERAL.—Except as provided in para-  
2 graph (2), it shall be unlawful to—

3           “(A) require any United States person to  
4 receive a vaccine that has only received author-  
5 ization by the Food and Drug Administration  
6 through an emergency use authorization pursu-  
7 ant to section 564 of the Federal Food, Drug,  
8 and Cosmetic Act (21 U.S.C. 360bbb-3), or  
9 that has received such authorization prior to re-  
10 ceiving full approval or licensure under section  
11 505 of the Federal Food, Drug, and Cosmetic  
12 Act (21 U.S.C. 355) or section 351 of the Pub-  
13 lic Health Service Act (42 U.S.C. 262); or

14           “(B) vaccinate with a vaccine that has only  
15 received authorization by the Food and Drug  
16 Administration through such an emergency use  
17 authorization, or that has received such author-  
18 ization prior to receiving such full approval or  
19 licensure—

20           “(i) an individual under the age of 18;

21           or

22           “(ii) an individual that lacks the ca-  
23 pacity to exercise the right to consent to be  
24 vaccinated.

1           “(2) EXCEPTIONS.—Paragraph (1) shall not  
2           apply if the individual, or if the individual is a minor  
3           or is otherwise unable to consent, a parent, guard-  
4           ian, conservator, or attorney-in-fact of the indi-  
5           vidual, provides consent to be vaccinated in accord-  
6           ance with subsection (b).

7           “(b) RIGHT TO BE INFORMED.—Any person that ad-  
8           ministers a vaccine for the coronavirus disease 2019  
9           (COVID–19) shall, consistent with medical ethics and ap-  
10          plicable informed consent laws of the State in which the  
11          vaccine is administered and any applicable Federal regula-  
12          tions related to informed consent laws, disclose to any in-  
13          dividual, before the vaccine is administered, the risks asso-  
14          ciated with the vaccine so that the individual can make  
15          an informed decision.

16          “(c) CIVIL ACTIONS.—

17                 “(1) IN GENERAL.—Any individual aggrieved  
18                 by a violation of subsection (a) may bring a civil ac-  
19                 tion in an appropriate court against any person who  
20                 negligently participated in the vaccination of the in-  
21                 dividual in violation of that subsection.

22                 “(2) CIVIL ACTION ON BEHALF OF INDIVID-  
23                 UALS UNABLE TO CONSENT.—A parent, guardian, or  
24                 conservator of an individual aggrieved by a violation  
25                 of subsection (a) who is a minor or otherwise unable

1 to provide consent may bring a civil action on behalf  
 2 of that individual in an appropriate court against  
 3 any person who negligently participated in the vac-  
 4 cination of that person in violation of subsection (a).

5 “(3) APPROPRIATE RELIEF.—Appropriate relief  
 6 under this section is the lesser of—

7 “(A) \$10,000; or

8 “(B) an amount equal to the actual dam-  
 9 ages sustained by the individual aggrieved by a  
 10 violation of this section.”.

11 (b) TECHNICAL AND CONFORMING AMENDMENT.—

12 The table of chapters for part I of title 18, United States  
 13 Code, is amended by inserting after the item relating to  
 14 section 117 the following:

“117A. Vaccinations ..... 2431”.