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AN ACT

RELATING TO IMMUNIZATION; ALLOWING PHYSICIAN ASSISTANTS OR
CERTIFIED NURSE PRACTITIONERS TO CERTIFY THAT IMMUNIZATION IS
DETRIMENTAL TO THE PHYSICAL CONDITION OF A CHILD.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 24-5-3 NMSA 1978 (being Laws 1959,
Chapter 329, Section 3, as amended) is amended to read:

"24-5-3. EXEMPTION FROM IMMUNIZATION.--

A. Any minor child through the child's parent or
guardian may file with the health authority charged with the
duty of enforcing the immunization laws:

(1) a certificate of a licensed physician, a
physician assistant or a certified nurse practitioner stating
that the physical condition of the child is such that
immunization would seriously endanger the life or health of
the child;

(2) an affidavit or written affirmation from
an officer of a recognized religious denomination that the
child's parents or guardians are bona fide members of a
denomination whose religious teaching requires reliance upon
prayer or spiritual means alone for healing; or

(3) an affidavit or written affirmation from
the child's parent or legal guardian that the parent's or
legal guardian's religious beliefs, held either individually

1 or jointly with others, do not permit the administration of
2 vaccine or other immunizing agent.

3 B. Upon filing and approval of such certificate,
4 affidavit or affirmation, the child is exempt from the legal
5 requirement of immunization for a period not to exceed nine
6 months on the basis of any one certificate, affidavit or
7 affirmation."

8 SECTION 2. EFFECTIVE DATE.--The effective date of the
9 provisions of this act is July 1, 2023. _____

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