

# 2022 SESSION

INTRODUCED

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## HOUSE BILL NO. 1036

Offered January 12, 2022

Prefiled January 12, 2022

A *BILL to amend the Code of Virginia by adding a section numbered 22.1-271.9, relating to local school boards; requirement for students to wear masks or other face coverings; evidentiary substantiation.*

Patrons—LaRock, Cordoza, Walker and Williams; Senator: Chase

Referred to Committee on Education

### Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 22.1-271.9 as follows:

**§ 22.1-271.9. Requirement for students to wear masks or other face coverings; burden of proof.**

No local school board shall require any student enrolled at a public elementary or secondary school in the local school division to wear a mask, face covering, or other covering of the student's nose and mouth at school, on a school bus, or at a school-sponsored activity unless the local school board substantiates such requirement with evidence that (i) such requirement is necessary to suppress a nuisance dangerous to the public health or a communicable, contagious, or infectious disease or other danger to the public life and health; (ii) no reasonable alternatives to such requirement exist in light of the impact on quality of life and economic well-being; and (iii) such requirement is narrowly tailored to address the nuisance dangerous to the public health or the communicable, contagious, or infectious disease or other danger to the public life and health.

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