

## 2026 Regular Session

SENATE BILL NO. 36

BY SENATOR FESI

PUBLIC HEALTH. Provides relative to vaccines. (8/1/26)

# 1 AN ACT

2 To enact R.S. 40:636(7) and 1158, relative to vaccines; to prohibit certain vaccine delivery  
3 mechanisms; to establish informed consent requirements for vaccinations; to provide  
4 for restrictions on obtaining informed consent for vaccinations; and to provide for  
5 related matters.

6        Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:636(7) and 1158 is hereby enacted to read as follows:

## 8 §636. Other prohibited acts

9 The following acts and the causing thereof are prohibited:

\* \* \*

**(7) The use of food as a delivery mechanism for an mRNA vaccine.**

\* \* \*

## §1158. Informed consent for vaccinations

A. Prior to any healthcare provider administering a vaccine to a patient,

15 the provider shall provide the patient with the following information:

1                   (2) The state required vaccine written consent form created by the  
2                   surgeon general that shall include all of the following:

3                   (a) The specific vaccine being administered.

4                   (b) The specific disease or diseases that the vaccine is intended to prevent  
5                   or reduce the adverse health effects of.

6                   (c) The vaccine technology used to develop the vaccine.

7                   (d) The benefits to the patient if the vaccine is administered.

8                   (e) The short-term and long-term risks to the patient if the vaccine is  
9                   administered.

10                   B. A person shall not be considered capable of providing informed  
11                   consent for a vaccination under any of the following conditions:

12                   (1) Within forty-eight hours prior to a planned medical procedure which  
13                   requires the administration of anesthesia or within forty-eight hours after  
14                   anesthesia is administered to the patient.

15                   (2) Within twelve hours of childbirth.

16                   (3) Within twenty-four hours after a narcotic medication has been  
17                   administered to the patient.

18                   C. The patient informed consent for vaccinations provided for in this  
19                   Section shall be in addition to any informed consent to medical treatment  
20                   required by R.S. 40:1157.1 et seq.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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DIGEST

SB 36 Original

2026 Regular Session

Fesi

Present law provides for prohibited acts pursuant to the State Food, Drug, and Cosmetic Law.

Proposed law adds the use of food as a delivery mechanism for an mRNA vaccine as a prohibited act.

Present law provides for informed consent for medical treatment.

Proposed law provides for the process for a healthcare provider to obtain informed consent

from a patient prior to administering a vaccine.

Proposed law provides for circumstances in which a person shall not be considered capable of providing informed consent for vaccinations.

Proposed law provides that the patient informed consent for vaccinations is in addition to any informed consent to medical treatment required by present law.

Effective August 1, 2026.

(Adds R.S. 40:636(7) and 1158)