



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

Senator Brad Hoylman Introduces Legislation to End Vaccine Mandate Loophole Used by Joe Rogan

BRAD HOYLMAN-SIGAL October 6, 2021

| ISSUE: [SD 27, SENATOR BRAD HOYLMAN, COMBATING COVID-19, COVID-19 VACCINES](#)

NEW YORK—Yesterday, Senator Brad Hoylman introduced the Fairly Applying Individual Requirements (“FAIR”) Vaccine Mandates Act which would prevent unvaccinated non-NYC based performers and professional athletes from exploiting a loophole in NYC’s vaccine mandate that allows them to evade local vaccine requirements.

Senator Hoylman said: “If New Yorkers attend an entertainment or sporting event they must provide proof of a COVID-19 vaccine. But New York City grants special privileges to out-of-town anti-vaxxers like Joe Rogan and NBA star Bradley Beal. This loophole puts the health of New Yorkers at risk, so I’ve introduced the FAIR Vaccines Mandate Act to close it. Our message is simple: Get jabbed or get outta town.”

According to [guidance published by the Counsel to the Mayor of New York City on September 28, 2021](#), performers, athletes and individuals accompanying them appearing at an indoor entertainment venue in New York City require proof of vaccination against COVID-19 *only* if they are residents of New York city or are regularly employed by the establishment. That means performers and athletes who reside out of the state are allowed to perform without proof of vaccination, putting patrons, venue staff, and other performers at risk of contracting COVID-19. This exemption for out-of-town performers has no policy rationale, creates confusion about local vaccine requirements, and reduces the public’s confidence in New York City’s efforts to increase vaccination rates.

On October 2, Joe Rogan, a podcaster and former host of TV series *Fear Factor*, performed at Madison Square Garden. Rogan, whose vaccine status is unknown, has shared many anti-vaccine sentiments on his podcast, was allowed to perform because of the City’s loophole for out-of-state performers. Brooklyn Nets player Kyrie Irving likely won’t be able to play games at either Barclays Center or Madison Square Garden this upcoming season because he has not received a COVID-19 vaccine and is regularly employed in New York City.

Senator Hoylman has been a champion of vaccines during his tenure in the NYS Senate. He sponsored legislation [strengthening vaccine requirements](#) for schoolchildren during the 2019 measles outbreak and in 2020 permitting the [COVID-19 vaccine to be administered by licensed pharmacists](#). Last summer, Senator Hoylman participated in a [COVID-19 vaccine trial](#) at the Vaccine Center at NYU Langone Hospital, and [recently participated](#) in the Vaccine Center's trial measuring the effectiveness of COVID-19 booster shots.