

By: Noble

H.B. No. 175

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to prohibiting a requirement that a public school student  
3 receive a coronavirus disease (COVID-19) vaccine.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 38.001(b), Education Code, as amended by  
6 Chapters 43 (H.B. 1098) and 94 (H.B. 1059), Acts of the 80th  
7 Legislature, Regular Session, 2007, is reenacted and amended to  
8 read as follows:

9 (b) Subject to Subsections (b-1), (b-2), and (c), the  
10 executive commissioner of the Health and Human Services Commission  
11 may modify or delete any of the immunizations in Subsection (a) or  
12 may require immunizations against additional diseases as a  
13 requirement for admission to any elementary or secondary school.

14 SECTION 2. Section 38.001, Education Code, is amended by  
15 adding Subsection (b-2) to read as follows:

16 (b-2) A student may not be required, as a condition of the  
17 student's admission to or continued enrollment in any elementary or  
18 secondary school, to receive a vaccine for the coronavirus disease  
19 (COVID-19). An elementary or secondary school is not liable for a  
20 claim arising from exposure to COVID-19 on the basis that the school  
21 failed to require a student to receive a COVID-19 vaccine.

22 SECTION 3. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this

H.B. No. 175

1 Act does not receive the vote necessary for immediate effect, this  
2 Act takes effect on the 91st day after the last day of the  
3 legislative session.