

Amend CSHB 7 by adding the following appropriately numbered ARTICLE to the bill and renumbering the remaining ARTICLES of the bill as appropriate:

ARTICLE _____. IMMUNIZATIONS

SECTION __.01. Sections 38.001(c) and (f), Education Code, as amended by Chapter 198, Acts of the 78th Legislature, Regular Session, 2003, are amended to read as follows:

(c) Immunization is not required for a person's admission to any elementary or secondary school if the person applying for admission:

(1) submits to the admitting official:

(A) an affidavit or a certificate signed by a physician who is duly registered and licensed to practice medicine in the United States, in which it is stated that, in the physician's opinion, the immunization required poses a significant risk to the health and well-being of the applicant or any member of the applicant's family or household; ~~or~~

(B) an affidavit signed by the applicant or, if a minor, by the applicant's parent or guardian stating that the applicant declines immunization for reasons of conscience~~[including a religious belief]~~; or

(C) an affidavit signed by the applicant or, if a minor, by the applicant's parent or guardian stating that the immunization conflicts with the tenets and practice of a recognized church or religious denomination of which the applicant is an adherent or member; or

(2) is a member of the armed forces of the United States and is on active duty.

(f) A person who has not received the immunizations required by this section for reasons of conscience or~~[including]~~ because of the person's religious beliefs~~[]~~ may be excluded from school in times of emergency or epidemic declared by the commissioner of public health.

SECTION __.02. Section 51.933(d), Education Code, as amended by Chapter 198, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

(d) No form of immunization is required for a person's

admission to an institution of higher education if the person applying for admission:

(1) submits to the admitting official:

(A) an affidavit or a certificate signed by a physician who is duly registered and licensed to practice medicine within the United States in which it is stated that, in the physician's opinion, the immunization required poses a significant risk to the health and well-being of the applicant or any member of the applicant's family or household; ~~[or]~~

(B) an affidavit signed by the applicant or, if a minor, by the applicant's parent or guardian stating that the applicant declines immunization for reasons of conscience~~[, including a religious belief]~~; or

(C) an affidavit signed by the applicant or, if a minor, by the applicant's parent or guardian stating that the immunization conflicts with the tenets and practice of a recognized church or religious denomination of which the applicant is an adherent or member; or

(2) is a member of the armed forces of the United States and is on active duty.

SECTION __.03. Section 161.004(d), Health and Safety Code, as amended by Chapter 198, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

(d) A child is exempt from an immunization required by this section if:

(1) a parent, managing conservator, or guardian states that the immunization is being declined for reasons of conscience~~[, including a religious belief]~~; ~~[or]~~

(2) the immunization is medically contraindicated based on the opinion of a physician licensed by any state in the United States who has examined the child; or

(3) the immunization conflicts with the tenets of an organized religion to which a parent, managing conservator, or guardian belongs.

SECTION __.04. Section 161.0041(a), Health and Safety Code, as added by Chapter 198, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

(a) A person claiming an exemption from a required immunization based on reasons of conscience[~~, including a religious belief,~~] under Section 161.004 of this code, Section 38.001 or 51.933, Education Code, or Section 42.043, Human Resources Code, must complete an affidavit on a form provided by the department stating the reason for the exemption.

SECTION __.05. Section 42.043(d), Human Resources Code, as amended by Chapter 198, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

(d) No immunization may be required for admission to a facility regulated under this chapter if a person applying for a child's admission submits one of the following affidavits:

(1) an affidavit signed by a licensed physician stating that the immunization poses a significant risk to the health and well-being of the child or a member of the child's family or household; ~~[or]~~

(2) an affidavit signed by the child's parent or guardian stating that the applicant declines immunization for reasons of conscience; or

(3) an affidavit signed by the child's parent or guardian stating that the immunization conflicts with the tenets and practice of a recognized religious organization of which the applicant is an adherent or a member~~[, including a religious belief]~~.