

SENATE AMENDMENTS

2nd Printing

By: Bonnen, Delisi, Flynn,
Howard of Fort Bend, Keffer, et al.

H.B. No. 1098

A BILL TO BE ENTITLED

AN ACT

relating to immunization against human papillomavirus.

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

SECTION 1. Section 38.001, Education Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Subject to Subsections (b-1) and ~~[Subsection]~~ (c), the executive commissioner of the Health and Human Services Commission ~~[Texas Board of Health]~~ may modify or delete any of the immunizations in Subsection (a) or may require immunizations against additional diseases as a requirement for admission to any elementary or secondary school.

(b-1) Immunization against human papillomavirus is not required for a person's admission to any elementary or secondary school; however, educational material about the human papillomavirus vaccine that is unbiased, medically and scientifically accurate, and peer reviewed shall be distributed to each parent or legal guardian at the appropriate time in the immunization schedule by the appropriate school. This subsection preempts any contrary executive order issued by the governor.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this

H.B. No. 1098

1 Act takes effect September 1, 2007.

ADOPTED

APR 23 2007

Atalay Spaw
Secretary of the Senate

By: Bonnen (Sp:Heagar) H.B. No. 1098
Substitute the following for H.B. No. 1098 :
By: Denell C.S.H.B. No. 1098

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relating to immunization against human papillomavirus.

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

SECTION 1. Section 38.001, Education Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Subject to Subsections (b-1) and ~~[Subsection]~~ (c), the executive commissioner of the Health and Human Services Commission ~~[Texas Board of Health]~~ may modify or delete any of the immunizations in Subsection (a) or may require immunizations against additional diseases as a requirement for admission to any elementary or secondary school.

(b-1) Immunization against human papillomavirus is not required for a person's admission to any elementary or secondary school; however, by using existing resources, the Health and Human Services Commission shall provide educational material about the human papillomavirus vaccine that is unbiased, medically and scientifically accurate, and peer reviewed, available to parents or legal guardians at the appropriate time in the immunization schedule by the appropriate school. This subsection preempts any contrary executive order issued by the governor. This subsection expires January 11, 2011.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2007.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 12, 2007

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1098 by Bonnen (Relating to immunization against human papillomavirus.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

The bill would prohibit requiring immunization against human papillomavirus (HPV) as a condition for admission to any elementary or secondary school. All contrary executive orders of the governor would be preempted by the bill.

The bill would require that educational material about HPV vaccine be made available to each parent or legal guardian at the appropriate time in the immunization schedule by the appropriate school.

These requirements would expire January 11, 2011.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission, 537 State Health Services, Department of, 701 Central Education Agency

LBB Staff: JOB, CL, PP, LR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 3, 2007

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1098 by Bonnen (Relating to immunization against human papillomavirus.), **As Engrossed**

No fiscal implication to the State is anticipated.

The bill would prohibit requiring immunization against human papilloma virus (HPV) as a condition for admission to any elementary or secondary school. All contrary executive orders of the governor would be preempted by the bill.

The bill would require that educational material about the human papilloma virus vaccine be distributed to each parent or legal guardian at the appropriate time in the immunization schedule by the appropriate school.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission, 537 State Health Services, Department of, 701 Central Education Agency

LBB Staff: JOB, CL, PP, LR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 23, 2007

TO: Honorable Dianne White Delisi, Chair, House Committee on Public Health

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1098 by Bonnen (Relating to immunization against human papilloma virus.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would prohibit requiring immunization against human papilloma virus (HPV) as a condition for admission to any elementary or secondary school. All contrary executive orders of the governor would be preempted by the bill.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 529 Health and Human Services Commission, 537 State Health Services, Department of, 701 Central Education Agency

LBB Staff: JOB, CL, PP, LR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 16, 2007

TO: Honorable Dianne White Delisi, Chair, House Committee on Public Health

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1098 by Bonnen (Relating to prohibiting immunization against human papilloma virus as a condition for admission to public school.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would prohibit requiring immunization against human papilloma virus (HPV) as a condition for admission to any elementary or secondary school. All contrary executive orders of the governor would be preempted by the bill.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 537 State Health Services, Department of, 701 Central Education Agency

LBB Staff: JOB, CL, PP, LR