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S.B. No. 1107

A BILL TO BE ENTITLED

AN ACT

relating to the vaccination against bacterial meningitis of entering students at public and private or independent institutions of higher education.

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

SECTION 1. This Act shall be known as the Jamie Schanbaum and Nicolis Williams Act.

SECTION 2. Subsections (b), (c), and (e), Section 51.9192, Education Code, are amended to read as follows:

(b) This section applies only to an entering student at [a first-time student of] an institution of higher education or private or independent institution of higher education. This section does not apply to a student of an institution who is enrolled only in online or other distance education courses or who is 30 years of age or older. For purposes of this subsection, "entering student" includes:

(1) a new student, as defined by Section 51.9191; and

(2) a student who previously attended an institution of higher education or private or independent institution of higher education before January 1, 2012, and who is enrolling in the same or another institution of higher education or private or independent institution of higher education following a break in enrollment of at least one fall or spring semester[, including a transfer student, who resides in, or has applied for on-campus

1 ~~housing and been approved to reside in, an on-campus dormitory or~~
2 ~~other on-campus student housing facility at the institution].~~

3 (c) Except as provided by Subsection (d), a student to whom
4 this section applies or a parent or guardian of the student must
5 provide to the institution, at the time and in the manner prescribed
6 by rules adopted by the Texas Higher Education Coordinating Board,
7 a certificate signed by a health practitioner or an official
8 immunization record evidencing that the student has received a
9 ~~[been vaccinated against]~~ bacterial meningitis vaccination dose or
10 booster during the five-year period preceding the date established
11 by the coordinating board under Subsection (e).

12 (e) The Texas Higher Education Coordinating Board, in
13 consultation with institutions of higher education and private or
14 independent institutions of higher education, shall adopt rules for
15 the administration of this section, including rules establishing
16 the date by which a student who is required to comply with
17 Subsection (c) must have received the vaccination required by that
18 subsection, which may not be later than the 10th day before the
19 first day of the semester or other term in which the student
20 initially enrolls unless the student is granted an extension by the
21 institution as provided by the rules adopted under this subsection.
22 The rules must authorize an institution of higher education or
23 private or independent institution of higher education to extend
24 the compliance date for an individual student to a date that is not
25 later than the 10th day after the first day of the semester or other
26 term in which the student initially enrolls ~~[date the student~~
27 ~~initially moves into an on-campus dormitory or other on-campus~~

1 ~~student housing facility at an institution]~~.

2 SECTION 3. The changes in law made by this Act to Section
3 51.9192, Education Code, apply only to entering students enrolling
4 in public or private or independent institutions of higher
5 education in this state on or after January 1, 2012.

6 SECTION 4. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2011.