

By: Nelson

S.B. No. 62

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the vaccination against bacterial meningitis of  
3 entering students at public and private or independent institutions  
4 of higher education.

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

6 SECTION 1. Section 51.9192, Education Code, is amended by  
7 amending Subsection (b) and adding Subsection (d-2) to read as  
8 follows:

9 (b) This section applies only to an entering student at an  
10 institution of higher education or private or independent  
11 institution of higher education. This section does not apply to a  
12 student of an institution who is enrolled only in online or other  
13 distance education courses or who is 22 [~~30~~] years of age or older.  
14 For purposes of this subsection, "entering student" includes:

- 15 (1) a new student, as defined by Section 51.9191; and  
16 (2) a student who previously attended an institution  
17 of higher education or private or independent institution of higher  
18 education before January 1, 2012, and who is enrolling in the same  
19 or another institution of higher education or private or  
20 independent institution of higher education following a break in  
21 enrollment of at least one fall or spring semester.

22 (d-2) An affidavit submitted under Subsection (d)(2) must  
23 be:

- 24 (1) on a form described by Section 161.0041, Health

1 and Safety Code; and

2 (2) submitted to the appropriate admitting official  
3 not later than the 90th day after the date the affidavit is  
4 notarized.

5 SECTION 2. Section 161.0041(a), Health and Safety Code, is  
6 amended to read as follows:

7 (a) A person claiming an exemption from a required  
8 immunization based on reasons of conscience, including a religious  
9 belief, under Section 161.004 of this code, Section 38.001,  
10 51.9192, or 51.933, Education Code, or Section 42.043, Human  
11 Resources Code, must complete an affidavit on a form provided by the  
12 department stating the reason for the exemption.

13 SECTION 3. The changes in law made by this Act apply  
14 beginning with entering students enrolling in public or private or  
15 independent institutions of higher education in this state on or  
16 after January 1, 2014.

17 SECTION 4. This Act takes effect October 1, 2013.