A BILL TO BE ENTITLED
AN ACT
relating to requirements for and the transparency of
epidemiological reports and certain immunization exemption
information and reports.

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

SECTION 1. Section 81.047, Health and Safety Code, is
amended to read as follows:

Sec. 81.047. EPIDEMIOLOGICAL REPORTS. (a) Subject to the
confidentiality requirements of this chapter, the department shall
require epidemiological reports of disease outbreaks and of
individual cases of disease suspected or known to be of importance
to the public health, including vaccine preventable diseases. The
department shall evaluate the reports to determine the trends
involved and the nature and magnitude of the hazards.

(b) The department shall prepare and submit to the
legislature and the governor not later than December 1 of each
even-numbered year a biennial report that contains:

(1) a report of outbreaks of vaccine preventable
diseases in this state; and

(2) de-identified immunization exemption information,
including the number of persons claiming an exemption from the
immunization requirements of Section 161.004 of this code, Sections
38.001, 51.9192, and 51.933, Education Code, and Section 42.043,
Human Resources Code.
SECTION 2. Section 38.002, Education Code, is amended by
amending Subsections (a) and (c) and adding Subsections (d), (e),
and (f) to read as follows:

(a) Each public school shall keep an individual
immunization record during the period of attendance for each
student admitted. The records shall be open for inspection at all
reasonable times by the Texas Education Agency or by
representatives of local health departments or the Department of State Health Services.

(c) The Texas Education Agency and the Department of State Health Services shall develop the form for a required annual
report of the immunization status of students that includes
de-identified immunization exemption information. The report
shall be submitted by all schools at the time and in the manner
indicated in the instructions printed on the form.

(d) Each school district shall provide to the Department of State Health Services the information required by Subsection (c)
for the district and for each school campus in the district.

(e) The Department of State Health Services shall make
available to the public in electronic form, on the department's
Internet website, the required annual report submitted under
Subsection (c) on the immunization status of students for each
school district and each school campus.

(f) On request of a student's parent or legal guardian, a school district or school campus shall provide to the parent or
guardian a copy of the following information for the campus at which
the student is enrolled:
(1) the immunization rate disaggregated by type of vaccine; and

(2) the information submitted under Subsection (c), including:

(A) de-identified immunization exemption information;

(B) the number of students provisionally enrolled pending documentation of immunization;

(C) the number of students claiming an exemption for reasons of conscience, including a religious belief;

(D) the number of students claiming an exemption for a medical reason; and

(E) the number of students whose vaccinations are not current.

SECTION 3. As soon as practicable after the effective date of this Act, the Texas Education Agency shall update the form required by Section 38.002(c), Education Code, as amended by this Act, to comply with that subsection and Section 38.002(d), Education Code, as added by this Act.

SECTION 4. This Act applies beginning with the 2019-2020 school year.

SECTION 5. 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 Act takes effect September 1, 2019.