A BILL TO BE ENTITLED

AN ACT

relating to prohibiting a requirement that a public school student receive a coronavirus disease (COVID-19) vaccine.

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

SECTION 1. Section 38.001(b), Education Code, as amended by Chapters 43 (H.B. 1098) and 94 (H.B. 1059), Acts of the 80th Legislature, Regular Session, 2007, is reenacted and amended to read as follows:

(b) Subject to Subsections (b-1), (b-2), and (c), the executive commissioner of the Health and Human Services Commission 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.

SECTION 2. Section 38.001, Education Code, is amended by adding Subsection (b-2) to read as follows:

(b-2) A student may not be required, as a condition of the student's admission to or continued enrollment in any elementary or secondary school, to receive a vaccine for the coronavirus disease (COVID-19). An elementary or secondary school is not liable for a claim arising from exposure to COVID-19 on the basis that the school failed to require a student to receive a COVID-19 vaccine.

SECTION 3. 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
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1 Act does not receive the vote necessary for immediate effect, this
2 Act takes effect on the 91st day after the last day of the
3 legislative session.