88R12213 MCF-F

By:  Tinderholt H.B. No. 4731

A BILL TO BE ENTITLED

AN ACT

relating to the authority of an advanced practice registered nurse to sign a health exception to an immunization requirement for school admission.

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

SECTION 1.  Section 38.001(c), Education Code, is amended to read as follows:

(c)  Immunization is not required for a person's admission to any elementary or secondary school if the person applying for admission:

(1)  submits to the admitting official:

(A)  an affidavit or a certificate signed by a physician who is duly registered and licensed to practice medicine in the United States or an advanced practice registered nurse who is licensed to practice advanced practice registered nursing in the United States[~~,~~] in which it is stated that, in the physician's or advanced practice registered nurse's opinion, the immunization required poses a significant risk to the health and well-being of the applicant or any member of the applicant's family or household; or

(B)  an affidavit signed by the applicant or, if a minor, by the applicant's parent or guardian stating that the applicant declines immunization for reasons of conscience, including a religious belief; or

(2)  is a member of the armed forces of the United States and is on active duty.

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 Act takes effect September 1, 2023.