

By: Tinderholt

H.B. No. 4731

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the authority of an advanced practice registered nurse
3 to sign a health exception to an immunization requirement for
4 school admission.

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

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

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

11 (1) submits to the admitting official:

12 (A) an affidavit or a certificate signed by a
13 physician who is duly registered and licensed to practice medicine
14 in the United States or an advanced practice registered nurse who is
15 licensed to practice advanced practice registered nursing in the
16 United States[7] in which it is stated that, in the physician's or
17 advanced practice registered nurse's opinion, the immunization
18 required poses a significant risk to the health and well-being of
19 the applicant or any member of the applicant's family or household;
20 or

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

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

3 SECTION 2. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2023.