SENATE BILL 1107

Legislative Session: 82 (R)
Senate Author: Davis et al.
Effective: 5-27-11

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

Be it enacted by the legislature of The State of Texas:

SECTION 1. This Act shall be known as the Jamie Schanbaum and Nicolis Williams Act.

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

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

(1) a new student, as defined by Section 51.9191; and

(2) a student who previously attended an institution of higher education or private or independent institution of higher education before January 1, 2012, and who is enrolling

in the same or another institution of higher education or private or independent institution of higher education following a break in enrollment of at least one fall or spring semester.

(c) Except as provided by Subsection (d), a student to whom this section applies or a parent or guardian of the student must provide to the institution, at the time and in the manner prescribed by rules adopted by the Texas Higher Education Coordinating Board, a certificate signed by a health practitioner or an official immunization record evidencing that the student has received a bacterial meningitis vaccination dose or booster during the five-year period preceding the date established by the coordinating board under Subsection (e).

(d-1) An institution of higher education or private or independent institution of higher education shall provide, with the registration materials that the institution provides to a student to whom this section applies before the
student's initial enrollment in the institution, written notice of the right of the student or of a parent or guardian of the student to claim an exemption from the vaccination requirement in the manner prescribed by Subsection (d) and of the importance of consulting a physician about the need for immunization to prevent the disease.

(c) The Texas Higher Education Coordinating Board, in consultation with institutions of higher education and private or independent institutions of higher education, shall adopt rules for the administration of this section, including rules establishing the date by which a student who is required to comply with Subsection (c) must have received the vaccination required by that subsection, which may not be later than the 10th day before the first day of the semester or other term in which the student initially enrolls unless the student is granted an extension by the institution as provided by the rules adopted under this subsection. The rules must authorize an institution of higher education or private or independent institution of higher education to extend the compliance date for an individual student to a date that is not later than the 10th day after the first day of the semester or other term in which the student initially enrolls.

SECTION 3. The changes in law made by this Act to Section 51.9192, Education Code, apply only to entering students enrolling in public or private or independent institutions of higher education in this state on or after January 1, 2012.

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ENROLLED BILL SUMMARY

Legislative Session: 82 (R)
Senate Author: Davis et al.
Effective: 5-27-11

Previous law established requirements relating to the vaccination against bacterial meningitis for a first-time student, including certain transfer students, of an institution of higher education or private or independent institution of higher education who resides or will reside in an on-campus student housing facility. Senate Bill 1107 amends the Education Code to specify that those requirements apply to an entering student, which includes a new student and a student who previously attended such institutions of higher education before January 1, 2012, and who is enrolling in the same or another institution following a break in enrollment of at least one fall or spring semester. The bill exempts from the immunization requirements a student who is enrolled only in online or other long-distance education courses or who is 30 years of age or older. The bill clarifies the evidence of bacterial meningitis vaccination dose or booster required to be provided to the institution by an applicable student and establishes a requirement that an institution provide written notice of a student's right to claim exemption from the immunization requirement under certain circumstances and the importance of consulting with a physician about the need for the immunization. The bill prohibits the date by which applicable students are required to provide the institution with evidence of the vaccination from being later than the 10th day before the first day of the semester or other term in which the student initially enrolls and provides for an extension of that compliance date.